another context, and therefore I approach it with restraint. This is the question of the use of confidential information in the administrative process. A few weeks ago, in discussing the problem of passport legislation I summed up what I conceive to be the danger here as follows:

"The authority to use confidential information in the administrative process, under imprecise standards, coupled with the power to delegate the authority to subordinates, can result in a breeding ground of arbitrariness in the course of which innocent people may suffer."

Most people might generally agree with this statement as a matter of principle. But then the "for"—"buts"—and "ands" commence and we are back where we started. The high-wire balancing act performed by those who press for the preservation of the device is interesting. The most current argument is that it is universally used in other democratic countries in dealing with the question of passports and other aspects of national security. On reflection. I find this relevant but hardly material. Not long ago this country was regarded as the cradle of a new liberty and we thought it important to set up a structure which would safeguard our liberties from the arbitrariness of the sovereign. That structure imposed standards which I like to think are just a bit higher, go a bit farther, in protecting the individual from the possibility of arbitrary or capricious acts.

On a more practical note, it is interesting to look back on the action taken by the Commissioner of Immigration and Naturalization following the decision of the Supreme Court in *Jay* v. *Boyd*. That happened to be a case argued by me for the Government and by our friend Will Maslow as amicus curiae for the petitioner. In a 5 to 4 decision the Court sustained the use of confidential information in connection with the Attorney General's discretionary power to suspend deportation, under certain circumstances, of aliens otherwise deportable. The funny thing was that after the hullabaloo was all over the Commissioner of Immigration, a man of courage and fair instincts, met the still lingering problem head on and took steps to abolish, for all practical purposes, the use of the device in this area. A recent check with the Commissioner's office reveals that no case presently exists in which resort to the use of such information was found necessary to a decision. My point is that not only may the damage that can be done to individual liberties under such procedures be all out of proportion to the needs of the security that we seek to safeguard, but the corollary is also true, namely, that the advances we make in the safeguarding of individual liberties, however small, do much to strengthen the foundation of our liberties and, often to our surprise, do not result in any shocking impairment of our safety and security.

There will always be disagreement with the work of the Supreme Court. The Court does not labor in a vacuum. We may support the Court's conclusions, or we may oppose them. We are of course secure in our right to approve decisions of the Court only insofar as others are secure in their right to criticize them. But there is a difference between criticism and ignoble attack. The Supreme Court is a naked institution. The Constitution has provided it with no means of enforcing its decisions; its effectiveness as an institution and as a constituent element of our system of government rests entirely upon the voluntary acceptance of its decrees by other elements of government and by the people. Disagreement with the Court's decrees will not enfeeble its institutional strength. But disagreement coupled with broadside attacks upon the institution itself or upon the character or purpose of the justices will surely erode the institution at its base.

We, who by reason of training or office are in positions of public responsibility, have a duty to expose the destructiveness of any attempt to weaken the judiciary as an institution. Particularly in times of stress we cannot risk the loosening of our strongest bulwark against any enemy, namely our Constitution and the fundamental liberties embodied in it. Without a strong and independent judiciary the weakening of both our individual liberties and our national security will surely result.

# HOUSE OF REPRESENTATIVES

## TUESDAY, APRIL 14, 1959

The House met at 12 o'clock noon.

The Reverend Father Joseph E. Thorning, Ph. D., D.D., pastor of St. Joseph's Church, Carrollton Manor, Md., and associate editor of World Affairs, offered the following prayer:

Heavenly Father, author of life and of love, let the light of Thy countenance shine brightly upon the Speaker of this House and all the Members of the U.S. Congress.

Impart, we beseech Thee, Thy best blessings to the Presidents of all the American Republics, to public servants everywhere, and to the peoples themselves, granting them the divine graces they need to uphold human freedom, genuine social progress, and the important values of our Judaeo-Christian heritage.

In this moment of history, when the forces of aggression are mobilizing to flaunt the noble principles of the Organization of American States and to overthrow American governments that have proven their devotion to the cause of inter-American friendship and security, strengthen our God-loving leaders throughout the Western Hemisphere to maintain the peace and to win victories against the international masters of deceit who continue to foment hatred and destruction.

In our rededication to the ideals of the good neighbor policy on this 15th congressional celebration of Pan-American Day, we implore new gifts of wisdom, courage, resourcefulness, and imagination characteristic of men and women of prayer, that we may grow in Thy friendship and in our love for one another.

We humbly seek Thy daily blessings in the name of our Most Holy Redeemer, the Christ of the Andes. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2575. An act to authorize the appropriation of $500,000 to be spent for the purpose of the III Pan American Games to be held in Chicago, Ill.

The message also announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 12. An act to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs; and

S. Con. Res. 20. Concurrent resolution extending greetings to the Honorable Harry S. Truman on the 75th anniversary of his birth, May 8, 1959.

## HON. HARRY S. TRUMAN

Mr. McCORMACK. Mr. Speaker, I call up Senate Concurrent Resolution 20, extending greetings to the Honorable Harry S. Truman on the 75th anniversary of his birth, May 8, 1959, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress of the United States hereby extends to the Honorable Harry S. Truman its greetings, felicitations, and warm regards on the seventy-fifth anniversary of his birth, May 8, 1959.

SEC. 2. The Congress expresses its admiration and gratitude to President Truman for his many years of distinguished service to the United States and to the world. As a public servant and man of the people in the highest sense, he has gained the respect of all as the "Man of Independence".

SEC. 3. The Congress expresses particular appreciation for his dedication as Senator, Vice President, President, and author and elder statesman, in the battle against the enemies of freedom. His great efforts in the years following World War II helped unite the free world in its resistance to the common aggressor.

SEC. 4. The Congress expresses the hope that divine providence may permit Mr. Truman many more productive years of life and service to his country and to the world.

SEC. 5. A copy of this resolution shall be transmitted to that distinguished citizen of Missouri, the Honorable Harry S. Truman.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## SUPPLEMENTAL APPROPRIATIONS FOR THE DEPARTMENT OF LABOR

Mr. CANNON. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 336, making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, reserving the right to object, I shall not object to this item because it was already in the appropriation bill which has been passed and is now over at the Senate. It takes the money that is appropriated out of that bill. But, I do want to call attention to the fact that this continued payment

of unemployment compensation is prolonging the depression and that we will not get over the depression until we get rid of the unemployment compensation.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated for the Department of Labor for the fiscal year ending June 30, 1959, namely:

DEPARTMENT OF LABOR

*Bureau of Employment Security*

Unemployment Compensation for Veterans and Federal Employees

For an additional amount for "Unemployment compensation for veterans and Federal employees", $40,000,000: *Provided,* That obligations incurred and expenditures made pursuant to this joint resolution shall be charged to the appropriation under this heading in the Second Supplemental Appropriation Act, 1959 (H.R. 5916), whenever such Act containing such appropriation is enacted into law.

Mr. CANNON. Mr. Speaker, this is a resolution designed to meet an emergency budgetary situation. We have been advised by the executive branch that funds to continue making unemployment-compensation payments under formulas prescribed by law to eligible ex-veterans and former Federal employees are about exhausted. The payments are processed by the States from funds allocated by the Federal Government.

This resolution does not provide any additional funds beyond what the House has already approved. The second supplemental bill, H.R. 5916, passed on March 24, just before the Easter recess, carried $40 million as a supplement to the regular appropriation of $120,800,000 for fiscal 1959. That was occasioned by Public Law 85–848, enacted late in the last session, and providing a new permanent unemployment-compensation program for ex-servicemen.

The second supplemental bill is now in committee in the other body and will not be finally processed in time to meet the situation in the unemployment-compensation program. The pending resolution, in effect, lifts the $40 million from the supplemental bill and makes it available immediately. All expenditures made under this resolution will be charged to the appropriation in the supplemental bill when it becomes law.

I include letter of April 10 from the Director of the Budget:

MY DEAR MR. CHAIRMAN: The second supplemental appropriation bill now before the Senate contains a 1959 supplemental appropriation of $40 million for the Department of Labor to pay unemployment compensation to veterans and Federal employees. This supplemental is occasioned by the enactment of Public Law 85–848, August 28, 1958, which granted unemployment compensation for ex-servicemen similar to that for former Federal employees. When the supplemental request for this purpose was transmitted, the brief experience with actual payments under the new law indicated that presently available funds would meet requirements until additional funds could be provided in the regular course of congressional action on a supplemental bill. However, the level of payments continued to increase and just before the Easter recess of Congress, when the House was prepared to act on the second supplemental bill, it became apparent that available funds might be exhausted before Congress could complete action on the supplemental in its regular schedule. Staff of your committee was advised of this situation informally and I advised the Under Secretary of Labor that we would make a check on the situation as soon as actual March figures were available and take whatever action seemed to be appropriate.

On the basis of payments reported as of March 31, it is estimated that presently available funds will be exhausted on April 15 in most States. March benefit payments amounted to $16,886,367, leaving a balance available for April payments of $11,382,076. April requirements are estimated at $17 million, about the same as those for March. While on a straight mathematical basis funds would run somewhat past April 15, the need for dispersal of available funds to the payment points in all the States means that restriction on payment of funds will probably be necessary in most States around April 15.

Since I understand that the Senate will not complete action on the supplemental bill until after April 15, and that that body is not in a position to originate the necessary action to make funds available on an urgent basis, I am writing you to recommend that your committee take action so that payments of these benefits will not be interrupted. A copy of this letter is being sent to the Chairman of the Senate Committee on Appropriations.

Sincerely yours,

MAURICE H. STANS,
*Director.*

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## THE REVEREND FATHER JOSEPH F. THORNING AND INTER-AMERICAN UNITY

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, it was indeed a joy to hear the beautiful prayer offered this noon on Pan-American Day by my friend and the friend of many distinguished Members of the U.S. Congress, the Reverend Father Joseph F. Thorning, Ph. D., D.D., pastor of historic St. Joseph's Church, Carrollton Manor, Md., and honorary professor of international relations in the Catholic University of Chile, a pontifical institution.

Father Thorning, often at great sacrifice, has served the cause of inter-American friendship with intelligence, tact, courtesy, and good will. One of the notable factors in his success in promoting inter-American security and amity has been the respect he invariably shows toward all Members of the Congress, U.S. officials abroad and at home, intellectual leaders in the other American Republics, and toward the people themselves in every country he visits. The highest officials in the executive branch of the Government, including the State Department, have given repeated proof of the high opinion entertained in Washington about Father Thorning's personality, character, and talents. We are happy about his presence here today on the 69th anniversary of the Organization of American States, which was first designated as the Pan American Union.

The Pan American Union, started in the year 1890, always had as its objective the task of bringing the peoples of the Americas closer by advocating constant cooperation, mutually advantageous to all concerned.

In the course of their combined long history, the Pan American Union and present Organization of American States have done much to advance mutual aid, better understanding, and pacific settlement of all disputes in this part of the world. They have stood and now stand as a massive common front to combat the forces of insidious Communist totalitarianism in this hemisphere.

It is most gratifying that so great a group of nations as these 21 American Republics, covering such a vast area and including so many millions of human beings, always have a friendly way of working together in order to sustain a just and lasting peace. May we always and forever celebrate Pan American Day in peace, harmony, respect, and understanding of one another.

## A WELCOME TO FIDEL CASTRO

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, Fidel Castro arrives in Washington tomorrow evening from Havana. He will be here through Monday afternoon. He will speak and answer questions before both the American Society of Newspaper Editors and before the National Press Club.

This is the man who overthrew Batista in the face of apparently hopeless odds. He has restored civil liberties, and promised free elections. He has given Cuba honesty in government. He has appointed many distinguished and able men to high positions—Agramonte, Lopez, Fresquet, Dihigo, and many others.

That is part of the plus side. There is an alarming minus side having to do in part with judicial processes, Communist infiltrations and anti-American statements. I believe in Castro's good faith. I believe he is a man who sincerely desires democracy and a better life for Cubans and for other citizens of Latin America. However inexperienced and unprepared he is as a chief executive, he is a brave man and an honest man whose trip to the United States can well be the occasion for essential education of both him and us.

Can you imagine, Mr. Speaker, Ibn Saud, Trujillo, Khrushchev, Mao Tse-tung, or Franco consenting to be the aiming point publicly for the questions of our top editors and top reporters? We

have questions for Castro. He has questions for us. From the answers may come a better understanding all around.

So, on this Pan-American Day, 1959, I say, "Welcome, Fidel—and remember: There are no indiscreet questions, just indiscreet answers."

## ELECTIONS SUBCOMMITTEE OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Elections Subcommittee of the Committee on House Administration may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## COMMITTEE ON PUBLIC WORKS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file its report on the bill H.R. 3460.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

## LEGISLATIVE PROGRAM FOR THIS WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time for the purpose of inquiring of the majority leader concerning the program for today and for the rest of the week in view of the action of the Committee on Rules of yesterday.

Mr. McCORMACK. The first bill that will be brought up today is H.R. 4601, amending the Federal Employees Retirement Act.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Of course, I yield.

Mr. HALLECK. What about the time allotted for remarks in connection with Pan-American Day?

Mr. McCORMACK. That will come up first. I was referring to the legislation that will follow that.

No. 2 is S. 1096, an authorization in relation to the National Aeronautics and Space Administration.

No. 3 is H.R. 1321, the reorganization plan of 1953. That concerns the Rural Electrification Administration.

No. 4 is House Joint Resolution 254, authorizing a parliamentary conference with Canada.

No. 5 is H.R. 2228, in connection with the acquisition of certain land on the Mount Vernon Memorial Highway.

Rules have been reported on those five matters. A rule has not yet been reported on the next bill, but I understand the Committee on Rules is meeting tomorrow, and if they report a rule on it, I have the intention of bringing it up on Thursday, if possible. That is H.R. 5674, authorizing the construction of certain military installations.

If a rule is reported out tomorrow or this week on the housing bill, that bill will not come up this week, but I shall program it for next week.

Mr. HALLECK. Can the gentleman give us any information as to the probability of that rule's being reported so the bill will be on next week?

Mr. McCORMACK. I wish I could. I am very optimistic, particularly with a very able assist by my friend from Indiana.

I know of no further legislation to come up this week, but I make the usual reservation that if there is any addition to the program I shall announce it later.

Mr. HALLECK. As I understand, these bills will be called in this order and continued until they are disposed of?

Mr. McCORMACK. That is correct, except that if a rule is reported out on the military installations bill and the other bills are not through by Wednesday, I have made a promise to the gentleman from Georgia [Mr. VINSON]—and I like to keep my promises and hope the House will enable me to do so—to bring that bill up on Thursday.

## GENEVA AGREEMENTS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, the Washington Post and Times Herald this morning reports Vice President NIXON in his speech made last night in New York City as stating:

> Vice President NIXON insisted that the 1955 summit conference in Geneva, called a failure by its critics, was a success in terms of agreements reached. The difficulty has come, he said, because Soviet Premier Nikita S. Khrushchev's understanding of the agreement "was ostensibly different from ours."

That is diplomatic language of the Vice President for saying that the Soviets violated the agreements reached at Geneva, the same as they have violated or nullified every agreement for the last 30 years when it helped with their program of world aggression.

> The Vice President further cited as an example the unfulfilled Geneva agreement to settle German reunification "by means of free elections," as an example of the Soviets not carrying through with their agreements.

I ask that the Members read in this morning's CONGRESSIONAL RECORD, of Monday, April 13, on page 5788, a review made by me on the floor of the House yesterday setting out excerpts of testimony by ex-President Hoover and about 15 other witnesses who testified before the Committee on Communist Aggression in the 83d Congress. The facts set out in my speech of yesterday will verify the thoughts set out by the Vice President in his speech last night. I have today written Acting Secretary of State Herter to recommend to our representatives at the coming foreign ministers meeting to consider the sanctity of international agreements and past violations by the Soviet leaders as the No. one item on the agenda for the proposed summit conference. The problem of flagrant disregard for treaty and pact agreements must be considered at the summit conference or the gathering of world leaders will again serve as a platform for the Soviet leaders to publish and circularize their false and malicious propaganda to enhance Soviet prestige throughout the world.

## PRESIDENT EISENHOWER'S MANDATORY OIL IMPORT CONTROL PROGRAM WILL PREVENT FURTHER DESTRUCTION OF THE NATION'S COAL INDUSTRY AND STOP THE DECLINE IN EMPLOYMENT IN THE MINING AND RAILROAD INDUSTRIES

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, the White House decision to restrict residual oil imports through mandatory controls has been received with grateful enthusiasm in areas whose economic distress is directly attributable to the unfair competition that emanates in alien refineries. The news is particularly appreciated in coal-producing communities and railroad centers, where the erosion of job opportunities has been more and more noticeable since international shippers began their insidious invasion of east coast fuel markets more than a decade ago.

Although Congress included in its extension of the Reciprocal Trade Agreements Act a provision honoring the import-regulation recommendations of the Presidential Advisory Committee on Energy Supplies and Resources, the fuel profiteers who peddle their wares over the sealanes chose to make their own rules in a campaign to monopolize coastwise markets. The voluntary program, which the U.S. Government very generously adopted on the assumption that importers would comply with findings of the executive department and the intent of Congress, was no more effective than a wire fence would be in stemming the tide of residual oil imports.

Let me give you just one example of the arrogance exhibited by those oil runners operating between Venezuela and the Dutch West Indies and our own Atlantic seaboard. From January 1 to March 27 of this year an average of 807,500 barrels per day of foreign residual oil was poured into this country. These shipments, which are in sharp contrast to the 603,400 barrels averaged during the corresponding period of the preceding year, set a new alltime record of abuse and disrespect for the national

economy and security by international oil.

You are aware of what unreasonable import policies are doing to the working people of this country. You need only to look at the Department of Labor's statistical tables on surplus labor to recognize the hardship which excessive residual oil imports have brought to central and western Pennsylvania. Many of our miners and railroaders have been unemployed for several years, the number mounting as torrents of imported residual oil swamped industrial fuel markets in continued intensity. It is unlikely that we are going to get many miners back to work as a consequence of the White House order imposing mandatory controls, but you may be sure that the decision will have an important psychological effect. The miners whose working time has been cut down to 2 or 3 days a week have understandably looked with fear to a continuance of policies permitting oil from abroad to threaten their very economic existence. With the new cutback, these workers are greatly relieved and have come to hope that the fuel they produce will once again be accepted in its traditional and legitimate industrial markets.

And what about the thousands of other members of our labor force who long ago were deprived of their means of livelihood because the market for coal had been usurped by traders in a foreign product? They are not so optimistic as to assume that the Presidential action will stimulate a sudden upward spiral in demand for bituminous coal. They are, however, highly encouraged at the recognition which has finally been accorded the coal industry. They are optimistic enough to feel that the decline in coal production will now be reversed and before too long output will reach a point where greater manpower will be required.

Yes, Mr. Speaker, we hail President Eisenhower's action. It was based upon coal's importance to the national security, but without question it will also have a favorable economic effect.

The Nation as a whole should join us in welcoming the action of the executive department. No one can be blind to the fact that an explosive situation centers around Berlin. The ruthless aggression by Communist China in Tibet is further evidence that America's military structure must be sustained at full strength until the Soviet propensity for world domination is neutralized.

President Eisenhower recognizes that excessive residual imports are destructive of important components of the mobilization base. He is aware that a vigorous domestic fuel industry is essential to the national safety. The decision to enforce mandatory controls on residual oil imports was based on the fact that our coal industry could not be expected to meet the accelerated demand of an emergency period unless reasonable output and development are possible in the interim period.

Collaterally, the Nation's railroads must not be neglected if we are to maintain the defense capability essential in this crucial period. The cutoff of railroad coal traffic because of inequitable residual oil import competition has posed a serious logistics problem. Unless sufficient gondolas and hoppers are activated now, coal could not be moved with expediency to points of consumption when the chips are down.

Mr. Speaker, it is my intention to continue to seek legislation restrictions that will further reduce the amount of residual oil permitted to enter this country. Meanwhile, the President is to be congratulated for his forthright stand on this all-important issue.

## PAN-AMERICAN DAY

Mr. SELDEN. Mr. Speaker, I offer a resolution (H. Res. 241) extending cordial greetings of the House of Representatives to the representative bodies of each of the other American Republics on the occasion of Pan-American Day, and ask unanimous consent for its present consideration.

The Clerk read the resolution, as follows:

Whereas April 14, 1959, sixty-ninth anniversary of the Pan American Union marks another milestone in the continuous and mutually gratifying relationship of the twenty-one American Republics; and

Whereas the House of Representatives during the sixty-nine years has encouraged the growth of inter-American cooperation for the common security and welfare, and has frequently commended the contributions to that end made through the Pan American Union, which is now seat and secretariat of the Organization of the American States; and

Whereas the Organization of American States is dedicated to the achievement of peace and justice, the promotion of hemispheric solidarity, and the mutual defense of the sovereignty, territorial integrity and independence of the American Republics; and

Whereas the twenty-one respective legislatures traditionally honor the observance of April 14 as Pan-American Day, symbolizing inter-American friendship; and

Whereas the House of Representatives is cognizant that the friendship is one of the greatest safeguards of our mutual security, cemented by fraternal bonds which contribute to peace and progress in this hemisphere and consequently throughout the world; Therefore be it

*Resolved*, That the House of Representatives extend to the representative bodies of each of the other American States on the occasion of Pan-American Day its cordial greetings and profound desire for the maintenance of mutually beneficial relationships, in recognition of the progress already achieved toward our common objectives of inter-American cooperation and solidarity to the peace and security of the hemisphere and of the free world.

Copies of this resolution shall be distributed to the legislatures of the American Republics and to the Secretary General of the Organization of American States.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

### GENERAL LEAVE TO EXTEND REMARKS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks immediately following the remarks I am about to make and also that all Members may have 5 legislative days within which to extend their remarks on the subject of Pan-American Day.

The SPEAKER pro tempore (Mr. THORNBERRY). Without objection, it is so ordered.

There was no objection.

Mr. SELDEN. Mr. Speaker, this day, April 14, is commemorated in our American Republics as Pan-American Day. The significance for American peoples is demonstrated in this annual festival of freedom, friendship, and good will.

Pan-Americanism is a concept that goes back to the time of the great liberator, Simon Bolivar, who was the first to call a convention of American states, the Congress of Panama, in 1826. Bolivar's aim was to form a confederation to protect the hemisphere from outside attacks and to settle inter-American disputes. This year we received with great pleasure a magnificent statue of that noble South American visionary as a gift of the Venezuelan people.

Today we celebrate the 69th anniversary of the realization of Bolivar's idea. The first International Conference of American States, called by Secretary of State James G. Blaine, was held in Washington in 1889–90. One United States newspaper, reflecting the prevailing opinion, announced darkly:

The Pan-American Conference is pronounced a failure by those most concerned.

But from that failure came the seed of the oldest, most effective, international organization in the world. The first Inter-American Conference established a Commercial Bureau, designed to distribute commercial information to merchants and shippers. It had neither constitution nor charter, and was considered so unimportant by its member nations that no ratification was required.

Nevertheless, the Commercial Bureau provided a nucleus for inter-American cooperation. By the third conference in 1906, topics other than those of a commercial nature were considered suitable for the agenda. In 1910, the beautiful Pan American Union Building that we all know was built here in Washington, giving an aura of permanence to the idea of inter-American cooperation.

Over the years, as the American States began gradually to realize the need for closer political relations, machinery was established to settle inter-American disputes and to guarantee the security of the hemisphere. Questions of international law, agriculture, transportation, communications, health, sanitation, education, and economic development became objects of inter-American cooperation.

In the post-World War II period, the 21 American Republics formularized in two principal documents their unique relationship which had grown over almost half a century. The inter-American Treaty of Reciprocal Assistance, commonly known as the Rio Pact, was signed in 1947. The Rio Pact provides for collective action to maintain peace and security within the hemisphere and to defend the Americas against any aggression from without.

The second basic document, the Charter of the Organization of American States, was drawn up at Bogota, Colombia, in 1948. In essence the charter defined and codified inter-American practices which had developed gradually through trial and error over the years. The purposes of the OAS are:

First, To strengthen the peace and security of the continents.

Second. To prevent possible causes of difficulties and to insure the pacific settlement of disputes that may arise among the member states.

Third. To provide for common action on the part of those states in the event of aggression.

Fourth. To seek the solution of political, juridical, and economic problems that may arise among them.

Fifth. To promote, by cooperative action, their economic, social, and cultural development.

The ability of the Rio Pact to preserve hemisphere peace has been demonstrated in several occasions. In 1948–49 a peaceful settlement in a dispute between Costa Rica and Nicaragua was brought about. In 1950, the Council of the OAS, by quick action, averted possible armed conflict involving a number of Carribbean countries. Renewed conflict between Costa Rica and Necaragua in 1955 ended when the Council of the OAS again took action to preserve peace.

The effectiveness of the Rio Pact in keeping the peace does not rest in its mechanisms. The real strength of the treaty lies in the determination of the member states to keep the peace because all know their own well-being and prosperity can be achieved only by living in harmony and concord.

We have come a long way since the first timid excursion into inter-American cooperation 69 years ago. The road was not always easy. Debates at inter-American conferences, especially before the good neighbor policy was instituted, were often bitter and acrimonious. Recently, economic problems have led to misunderstanding and to denunciations.

Dr. Alberto Lleras Camargo, the former Secretary General of the Organization of the American States, and currently President of Colombia, had some wise words of caution to those of us who might become impatient with developments in the OAS. He said:

> The economic problems of inter-American life are surely not more difficult than were those of a political nature in the past. The latter were in fact so thorny that when attempts were made to put off debate on them or to ease the attendant strain, it was customary to turn to economic topics, as something pleasanter, more congenial to everyone, of mutual interest, and of slight import.
>
> Today that is no longer true, obviously. There are serious conflicts of interest, and economic views that appear to clash just as much as, early in this century, the corollaries of the Monroe Doctrine might have jarred with the principle of nonintervention. Millions of words, some of them harsh, some pleasant, some wrathful and others persuasive, had to be exchanged via the channels of the Organization before essential agreements were reached that made it impossible to differ any longer on the first principles of pan-Americanism. The same thing is bound to happen in this other field, in which solidarity is no less important, distinctive, and indispensable than it is in purely political fields.

No matter how insurmountable our problems of the moment might appear, we have demonstrated, as Dr. Lleras pointed out, over more than two-thirds of a century that we can devise solutions. The Organization of American States, whose anniversary we pay tribute to today, is the living monument to the achievements of patient, wise, dedicated men from both north and south of the Rio Grande. Today, we renew our pledge to fortify this most successfully sustained adventure in international community living that the world has ever seen.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, I am happy to take part in the celebration of Pan-American Day. Not only is it an occasion of deep and far-reaching significance, but it is an occasion celebrated throughout almost the whole of the Western Hemisphere. Nor is this celebration just by individuals or groups here and there; it is by schoolchildren, clubs, churches, communities, governments, and by international bodies in all 21 countries of Pan America. Pan-American Day is honored by means of public ceremonies, by means of forums, fiestas, parades, press, radio, official proclamations, legislation, and international exchanges. The significance of this widespread recognition is manifold.

My good friend, Rev. Father Joseph F. Thorning, has for years taken an active and effective interest in Pan-American Day, and the strengthening of friendship between the countries of the Western Hemisphere.

People are accustomed to honoring a man or an event, to observing a national occasion or a religious festival. But this day is set aside to honor an idea and an ideal. The idea has taken concrete form in international political arrangement. We commemorate a day in 1890 when on April 14, the First International Conference of the American States met in Washington and adopted a resolution which resulted in the voluntary association in one intercontinental community of 21 sovereign republics. We proclaim the perpetuation of this union and the continuity of the common bonds and common hopes of the peoples on two continents. And we herald abroad the very real and concrete benefits that have derived from many faceted international cooperation among these 21 American nations.

In Havana, Cuba, there stands today the tree of peace planted in soil sent from each of the nations of the Organization of American States. It is watered by symbolic contributions from each one of these countries. The Organization of American States has taken just pride in the furtherance of international peace throughout the Americas. It takes pride in the practical application of the solidarity symbolized in this tree planting and nurturing.

Were the international cooperation and fundamental unity of the Americas to be emulated by the nations of the world, there need be no questions of sacrifice of sovereignty, of seigniority, or of national pride. There would be, quite the reverse, an enhancement of the national dignity of the individual nations in lending themselves and their efforts to a world of brotherly interest and understanding.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I, too, am happy to participate in this observance of Pan-American Day.

Mr. Speaker, in the crowded and somber calendar of current international events this day, April 14, is a date which brings with it hope and optimism and good cheer. For this day celebrates that solidarity which has grown during many years between the republics which comprise our hemisphere and which provides one of the principal bulwarks of law and order in the modern world.

It may be interesting to recall briefly two or three outstanding events in the history of Pan Americanism by which we may measure the road we have journeyed. These events are planted like milestones along the way and gather unto themselves a certain special significance.

Such was the Congress of Panama summoned by Simon Bolivar in 1826. Bolivar had a vision far ahead of his times. In his invitation to the former Spanish colonies to send representatives to the Congress—and he could have been speaking yesterday—he suggested that the Congress "should act as a council in great conflicts, to be appealed to in case of common danger, and be a faithful interpreter of public treaties when difficulties arise, and conciliate, in short, all our difficulties." Bolivar died in bitterness thinking he had "plowed the sea" but our generation has seen his wish translated into reality.

Another date we like to recall marked the sessions of the first Intercontinental Conference of American States in Washington in 1889–90. The U.S. Congress played a substantial role in the convening of that Conference. For several years before it was held, resolutions were introduced in the House and Senate advocating such a meeting. In 1888 an act of Congress authorized the President to invite delegates from all the independent countries of Latin America to meet in Washington the following year. The then Secretary of State, James G. Blaine, expressed in his opening address to the Conference that spirit of cooperation and awareness of the interests of each nation represented which has characterized pan-American relations down to our day. He said that the assembled delegates could "show to the world an honorable and peaceful conference of independent American powers, which will seek nothing, propose nothing, endure nothing that is not in the general sense of all the delegates timely, wise, and peaceful."

We in this Chamber have ourselves witnessed the most heartening advances in inter-American unity. During the postwar years the inter-American system has grown both in stature and in strength. One event has been particularly outstanding during this period: the signing of the Inter-American Treaty of Reciprocal Assistance, or the Rio Pact, in September 1947. This pact was the culmination of many years of evolution of inter-American principles and inter-American cooperation. When World War II flared in all its multiple horror in Europe and Asia and reached over into the Western Hemisphere, the paramount need for security caused the American Republics to draw closer together in order to repel the enemy. It became unmistakably clear, during those perilous years, that an attack against one American state endangered all and should be resisted by all together. The Rio Pact has taken solid root in the inter-American system because it is based on the principles and collective needs of the American states. It represents no arbitrary imposition of any state but is the result of a will to agree among them all. It is designed for the protection of all and imposes upon all certain duties and obligations. The Rio Pact has in the past decade become a cornerstone of the inter-American system.

But the successes of the past should not blind us to the needs of the future. We live in an age of constant change. The inter-American system must be kept abreast of change, must be kept flexible and responsive to the needs of its members. Certainly, the need for economic cooperation is a principal need today. Freedom from want is basic to political stability. The evolution of democratic institutions is predicated on the elimination of poverty and ignorance and disease. The task of economic advancement is one that calls for the best efforts of the leaders of our Western Hemisphere. We look to these leaders, in both public and private life, to write the new bright chapter in the history of inter-American relations.

The inter-American unity which has been won at so much cost is but the prelude, we can hope, to even greater understanding, progress, and cooperation in the future.

Mr. JACKSON. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from California.

Mr. JACKSON. Mr. Speaker, I, too, want to pay my personal word of tribute to Father Joseph Thorning, whose trail has crossed mine in a number of out-of-the-way places in South America. He is just as apt to be found riding a burro down the Andes in Bolivia as anywhere else. You will find him almost anywhere in the hemisphere. In my opinion, Mr. Speaker, he has done as much as any living American toward furthering an understanding between the Republics.

Mr. Speaker, Pan-American Day has become the occasion in the Congress and in other parliamentary bodies throughout the hemisphere, for the reaffirmation of certain fundamental principles to which the sister Republics adhere. It is a time of inventory—an hour—or perhaps less, when the bonds which hold this unique community of nations and peoples together, are examined and tested to the end that they may be strengthened where they have become weak and rewoven where some fibers have worn thin or broken. This day gives us as North Americans an opportunity to express our national regard and that of our people to those who inhabit with us this fruitful and gracious hemisphere.

That there are problems to be solved in the hemisphere none will deny. That there is frank discussion of controversial matters none can decry. In political, economic, and military spheres there are honest differences of opinion between equally honest men as to the proper courses of action to be pursued. In recognition of this fact the Organization of American States was brought into being and exists today as the principal instrument for the orderly adjudication of disputes between its own members. That heated debate accompanies many of the actions of OAS is in itself testimony to the effective application of the rule of law and of reason. We, who are privileged to live in the hemisphere, have abundant reason to be grateful to the Organization of American States and to the leading statesmen from the member Republics who have consistently demonstrated wisdom in their deliberations, and an understanding of individual and national frailties. Today we pay tribute to those from all of the Republics who have built a greater measure of multilateral and international understanding upon a firm foundation of faith and confidence in the future of the Americas.

As one is not born into the world with complete understanding of the mysteries of life, neither is a land emerging from feudalism created in the image that all might prefer. Industrialization and integration into the complexities of a new political and economic era has posed serious problems for many of the governments in the lands to the south of us, but it is to the credit of all that so few mistakes have been made. We, who come to the Congress from California, share a long and close relationship with Mexico. It has been said that Los Angeles is the second largest Mexican city in the world in point of population. We have watched with satisfaction the tremendous strides that our neighbor to the south has taken in achieving a high degree of political and economic maturity. The achievements of Mexico have been repeated in varying degrees from Tierra del Fuego to the northern borders of Guatemala.

It has been so truly said that to know a man is to like him. During my more than 12 years on the House Committee on Foreign Affairs and on the Inter-American Subcommittee of that great committee, I have been privileged to visit all of our sister Republics on one or more occasions. I have come to know and respect the peoples of Latin America and to realize that we share with them the same high goals and purposes. I have also learned that we cannot adopt an arbitrary standard of political perfection and ask our neighbors and friends to stretch themselves out on it in order that we may determine whether or not they measure up, individually and collectively, to our concept of what we believe they should be. One of the great lessons of life, and one that some people never seem to learn, is to mind one's own business, to be a good neighbor, to teach by precept and example rather than by the dogmatic posture that indicates an unmistakable and condescending superiority.

Latin America is rich in natural and human resources, but we seek nothing in that area but understanding and friendship. For many years we have assisted our neighbor Republics in their own efforts to improve the economic lot of their peoples. Through technical cooperation, by the programs of student and leader exchanges, and in a score of other ways, we have endeavored to make a contribution toward the ultimate realization of the hopes and the aspirations of 170 million neighbors. Thousands of Latins in all of the countries of the hemisphere have received education and training here in the United States. They know us and they know our ways, and as translators of the North American scene in their own lands, they constitute a bridge of understanding in a world in which many bridges have been washed away by torrents of hatred and ill will.

The Angles and the Saxons left us a common heritage, based in common usage and tested through centuries. We North Americans have pursued ideals instead of idols, and principles instead of personages. This has not always been the case in Latin America, and the predilection for strong leaders and for forceful and sometimes arbitrary governments has, at one time or another, led each of our neighbors away from the path which we in this country consider leads to government by law and not by man. However, I stress again, Mr. Speaker, that the mores, the traditions, the customs, and the culture of Spanish America were quite unlike those which have governed the course of our own national history. The remarkable point is that so many of the Republics have modeled their own constitutions on our own, and that such great strides have been accomplished toward the realization of the ideal set forth in the several constitutions. It would be well for all of us to pay less attention to the hole in the political doughnut of Latin America and a little more heed to what surrounds it.

I am happy, Mr. Speaker, to add my words of greeting and felicitation to our friends in all parts of our hemisphere today. We shall continue to lend every assistance and encouragement to the sister Republics as they exert their individual and collective efforts to achieve their national goals of self-reliance and economic and political stability. Our position is that of a co-equal partner in a common effort, anxious and willing to be helpful where our assistance is needed and requested.

Mr. SELDEN. Mr. Speaker, I yield to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, those of us in the House of Representatives who have had opportunity to meet with our hemispheric neighbors to the south through governmental, professional, and industrial conferences, social meetings, and in our work in Congress are constantly appreciative to greater degree each year the striving and high goals which the Republics of the Americas have set for themselves. It is today—Pan-American Day—the anniversary of the founding of the Pan American Union—that we traditionally and formally reaffirm the expressions of friendship among the 21 member nations of the Organization of American States.

Historically, we are linked. All Americans recognize the necessity of fostering the personal and political ties which have brought together the members of the organization—the first regional arrangement under the United Nations. The example of mutual respect and friendly cooperation set forth by this international body has, since its inception, been an inspiration to the world. By inter-American examples of democracy in action and the resultant achievements in cultural and economic progress, the free world position in international tides is increasingly strengthened.

Progress and healthy growth are the combined ambitions of all Americans. Through international forums on mutual problems, cooperative efforts have been established by way of which we are able to help one another. Exciting strides are being made in the Americas, jointly and independently. Pride and determination have been the keynotes. U.S. assistance through government and private endeavors has been extended. And emerging is a world area full of unlimited potentiality.

The abounding human and physical resources of our sister Republics are a potentiality which, combined with incentive, capital, and proper political climate, can bring about tremendous development. Key strategic materials are supplied by Latin America which the United States heavily imports, such as vanadium, crude petroleum and fuel oil, copper, antimony, cadmium, tungsten, and manganese. In 1958, the United States sold to the South American Continent $2.2 billion in factory-made products. The United States bought from the continent $2.3 billion in vital materials.

United States private investment is being encouraged in Latin America, consistent with a firm policy of mutual governmental long-range cooperation. Under our mutual security and related programs, much is being done toward helping our friends achieve what they desire in the fields of education, health, housing, and agriculture. Long-term loans for important projects have been willingly made where funds are available and based upon a country's capacity to absorb capital. The Export-Import Bank, the International Bank for Reconstruction and Development, the International Finance Corporation, the International Monetary Fund, the Development Loan Fund, and private investment are doing a wonderful job of putting capital to work for economic betterment. The proposed new inter-American financial institution will be of great benefit. The possibility of economic integration and establishment of the common market concept is being explored.

However, Latin America's problems are manifold. Projected population growth figures are a source of concern in many ways to leaders in the Americas. Economic difficulties are apparent. One-product economies provide little flexibility—the need for greater industrialization and diversification is recognized and desired, but is frustratingly slow and not brought about overnight. Further development of transportation is urgently needed. Illiteracy and disease must be conquered. It is to these needs that we direct our attention and understanding.

Particularly in my State of Florida, because of heritage and proximity to Latin America, have we taken great pride in our relationships with our neighbors. The tremendous amount of business and travel with and from the Americas to the south has been both enjoyable and profitable. Coral Gables, Florida, has been the first city in the United States to form a sister-city relationship with a Latin American city under the people-to-people program. The residents of Coral Gables and Cartagena, Colombia, have made many worthwhile and lasting friendships through their personal association brought about by the program. This body recently had opportunity to overwhelmingly endorse a resolution extending a cordial welcome to the Inter-American Bar Association, presently meeting in Miami. We in Miami are honored to be able to receive this organization.

And so it is my belief that mutual understanding is essential to overcoming the conflicts and economic and political problems which we face. We must not lose sight of our common objectives of security in world affairs and a better life for all Americans. Our collective defense agreement—the Rio Treaty—is of vital importance. For only in an attitude of security and peace can common prosperity and individual freedom be achieved. The American Republics have provided freedom and human liberty for most of their people. However, freedom is constantly threatened by greed and tyranny; and freedom must be protected. This was recognized by Simon Bolivar, who envisioned the mutual defense pact in which we are today engaged with our neighbors.

Continual emphasis must be shown on our part of our concern for the welfare of our friends. Their aspirations are our aspirations and we shall continue to share in the benefits reaped from freedom and prosperity.

The affirmation of our friendship and high regard for one another is a pleasurable and memorable event which takes place on this day each year; and I am glad to be able to join in paying tribute to the original concept of American hemispheric solidarity now known as the Organization of American States.

## CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. THORNBERRY). Obviously a quorum is not present.

Mr. SMITH of Mississippi. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 25]

| | | |
|---|---|---|
| Andersen, Minn. | Gubser | Nix |
| Barden | Hargis | Norblad |
| Baring | Harris | Ostertag |
| Barry | Holland | Perkins |
| Bass, N.H. | Holt | Philbin |
| Blatnik | Huddleston | Polk |
| Boykin | Jarman | Powell |
| Brewster | Johnson, Colo. | Rhodes, Ariz. |
| Buckley | Jones, Ala. | Rivers, Alaska |
| Carnahan | Kilburn | Rostenkowski |
| Celler | King, Utah | St. George |
| Cooley | Lesinski | Santangelo |
| Davis, Tenn. | McMillan | Shelley |
| Dent | Macdonald | Stubblefield |
| Dorn, N.Y. | Machrowicz | Teague, Tex. |
| Fallon | Merrow | Teller |
| Flynn | Metcalf | Tollefson |
| Frelinghuysen | Miller, George P. | Wainwright |
| Friedel | Moulder | Walter |
| Garmatz | Multer | Williams |
| | | Willis |

The SPEAKER. On this rollcall, 367 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

## PAN-AMERICAN DAY

The SPEAKER. The gentleman from Florida [Mr. FASCELL] is recognized.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have just called by telephone the Foreign Relations Committee of the other body and I find that that committee is about to act on the Presidential appointment of Hon. Clare Booth Luce, a former able colleague of ours, who has been appointed by President Eisenhower as Ambassador to Brazil. I congratulate the President upon his selection. I know, Mr. Speaker, that she will add a great deal to the understanding and good will of Brazil and the United States just as she did when she was an Ambassador, and a brilliant one, to Italy. She instilled in the people of that country a desire to develop a good many of their resources and she improved friendly intercourse with the United States. I am delighted to report this to my colleagues.

Mr. SELDEN. Mr. Speaker, I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to commend the gentleman from Alabama for his very fine statement regarding our relationship with the Pan American Union, and to say how sorry I am not to serve with

him on the Foreign Affairs Committee. I had to leave that committee to take the chairmanship of another committee.

I have always had the pleasantest relations with the people of the Latin American Republics. I was tremendously pleased to be one of the observer-delegates at the conference in Mexico City some years ago when we voted the act of Chapultepec Military Alliance of many of the countries of America and made it a fact that if one of the countries of the Southern Hemisphere should be attacked we would go to their assistance. The conference was held under the leadership of the late Edward Stettinius, Secretary of State, and it was considered one of the most successful of the pan-American conferences. The country of Mexico and the courtesy of the Mexicans made an indelible impression upon me.

I have always enjoyed the friendship of the Latin American people. When my husband first came to Congress years ago, he was a member of the Foreign Affairs Committee, and we saw the people of the pan-American countries very often. Some of the pleasantest and finest friends I have ever had have been people from Latin American countries.

Mexico, our next-door neighbor, is helping us with some of our problems, and I hope that we can always help that country with its problems.

This is true of other countries of the Southern Hemisphere. We do not always agree, but I believe that by friendly interchanges and by mutual trade development we can accomplish great things.

In these dangerous and confused days in world affairs, the understanding and unity of the pan-American groups gives great strength to our great part of the world.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Speaker, today is Pan-American Day, a day which marks the 69th anniversary of the Organization of American States. It is fitting and appropriate that we commemorate the birth of this organization which, since it was founded in 1890, has worked toward a closer unification of the 21 American Republics. On this annual occasion we are provided opportunity to take a fresh look at the common principles and policies which bind the countries of the Western Hemisphere so firmly together.

While already universally recognized as the most successful regional organization in the world, notable progress has been made toward strengthening the Organization of American States even further during the past year. New levels have been reached in political and economic cooperation among the member states. The Committee of Presidential Representatives, formed at President Eisenhower's suggestion in 1956, has been active in its consideration of economic and social problems. Recommendations of this Committee have been translated into such tangible programs as malaria eradication, agricultural improvement, public housing, and a variety of technical studies.

Continuing efforts are being made to broaden the cultural ties between the United States and Latin America. Our educational exchange programs have been expanded and augmented. In the academic year 1957–58, approximately 8,000 Latin American students studied in U.S. institutions, in addition to large numbers of specialists and technicians exchanged under bilateral technical cooperation programs. Growing interest in Latin America is evidenced by the scores of pan-American societies throughout the United States, which are actively engaged in promoting a broadened understanding of our neighbors to the south.

One of the most significant developments of the past year was the announcement that the United States would participate in the establishment of an Inter-American Development Bank. Creation of such a multilateral development institution serving the needs of the region as a whole will represent an important milestone in inter-American relations. At the same time we have acted to stimulate the flow of assistance by public and private financial institutions. Efforts are being made to encourage foreign trade through studies of individual commodity problems aimed at reaching cooperative solutions wherever possible. All these measures are designed to raise the levels of inter-American cooperation to new highs.

As we join in this 69th anniversary of Pan-American Day, Mr. Speaker, let us remember that North and South America are bound together strategically, as well as economically and culturally. With international communism becoming ever more menacing, it is heartening to know that we are participants in the most solid international organization of free people anywhere in the world. I count it as a very great blessing to this country that we have so many friends in South and Central America, and I thank the gentlemen for yielding to me at this time.

Mr. CHIPERFIELD. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Illinois.

Mr. CHIPERFIELD. Mr. Speaker, I want to commend the gentleman from Alabama for the splendid remarks he has made on Pan-American Day.

It was my good fortune to represent the House of Representatives of the United States at an international conference of representatives of legislative bodies of the Americas at Santiago, Chile on April 14, 1944, together with the late Honorable Pete Jarman, who then represented the Sixth District of Alabama. I am impressed with the coincidence that now, some 15 years later, the chairman of the Subcommittee on Inter-American Affairs is also the Representative of the Sixth Alabama District, Hon. ARMISTEAD I. SELDEN, JR.

Today, April 14, marks the date on which the resolution creating Pan-American Day was adopted in 1890 at the first International Conference of American States. For us in the New World it is a day peculiarly our own—the day of the Americas—when Americans both to the north and south can join hands to bring about a better understanding of one another, and cement hemispheric solidarity.

Painfully, with measured steps and in spite of many weaknesses and misunderstandings, the nations of the Americas have progressed along a weary road until now they clearly understand that while they are equal independent and sovereign nations, at the same time they are interdependent neighbors with similar problems.

As far back as 1810 the eminent Chilean Don Juan Egana made the first proposal for pan-American unity, forseeing with statesmanlike outlook the importance of unity of purpose and policy of the American Republics.

Many important steps have been taken to increase the effectiveness of the inter-American system and of course one of the greatest of these was the founding of the Pan American Union 68 years ago today.

Another was when President Hoover, 28 years ago, proclaimed April 14, 1931, as Pan-American day.

From a series of inter-American conferences a better understanding was brought about and the keystone for closer ties of friendship was the machinery set up for prompt consultation on matters of common concern.

In 1940 at Havana it was recognized an aggression of the territory or sovereignty of any nation in the Americas should be considered as an aggression against all.

These policies led ultimately to the Act of Chapultepec at Mexico City where it was agreed not only acts of aggression from without should be the concern of all, but also acts of aggression from within the hemisphere against another American State.

The United Nations at San Francisco recognized the importance of such regional arrangements by approving of such agreements in its charter just as the signers of the Act of Chapultepec recognized the United Nations by agreeing its activities should be "consistent with the purposes and principles of the general international organization."

So today the Americas have adopted a charter of their own to keep the peace. The 3,000-mile unfortified border between Canada and the United States, the towering figure of the Christ of the Andes high on the border between Chile and Argentina take on a new and added significance.

As I have indicated there have been many factors which have tended to bring about hemispheric security and to consolidate the ties of understanding and confraternity.

Among these is the fact that the Americas of all the areas of the world are best suited for geographical unity. Without the racial and historical prejudices of the Old World, they comprise an area equal to 25 percent of the globe—consisting of 12 million square miles of the richest and the most diversified resources of the world. Their climates and crops supplement each other which in and of itself draws the peoples of the hemisphere closer together and creates bonds of solidarity.

Just as we, in the years past, fought and died for our independence in the New World, so did the patriots of our neighbors to the south fight for the independence of their respective countries. This, too, provides a common bond of understanding as all these countries have heritages dedicated to the same ideals of independence of nations.

I need not add that in the fields of culture, music, art, and sciences there are great opportunities for progress, because contacts of this character ignore national borders and local differences.

It is significant that in the Americas alone of all the world there is no quota restrictions on immigration to this country.

While I have recited many instances of progress which we in the Americas have made in the past it does little good to blink the fact that there are still many problems to be solved.

The so-called good-neighbor policy is not dependent on any one administration for its execution. The good-neighbor policy is a continuing one. It is the universal desire of the vast majority of our people to have hemispheric unity for the betterment of us all—not just for the present, but as a permanent policy.

As has so well been said, let us improve the inter-American system and remember its interdependence is its foundation, cooperation is its keystone.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Mr. Speaker, I join with the gentleman from Alabama in his fine remarks on pan-America. We people in the Western Hemisphere should stand firmly together in equal partnership. While we people have different cultures, and in many cases different economies, nevertheless it is the kind of area that makes for good friendly trading relationships. We in the United States should always recognize that the people in Latin and South America are our best customers. Good customers make good friends and good progress.

I want to welcome especially today my good friend, Rev. Joseph Thorning, who gave the prayer at the opening of today's session in the U.S. House of Representatives. We in the United States and the whole of North America, the Caribbean area, and South America know of his long interest and excellent efforts in developing the friendship of the countries and peoples of the Western Hemisphere.

Mr. DADDARIO. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Connecticut.

Mr. DADDARIO. Mr. Speaker, I wish to join with the gentleman from Alabama in his remarks on Pan-American Day.

The peoples of North and South America unite today in observing Pan-American Day, marking the establishment of the Pan American Union in 1890. The Pan American Union serves as the General Secretariat of the Organization of the American States and aids the 21 Republics of the Western Hemisphere by acting as an instrument of cooperative action.

Its scope of activity has expanded gradually in every field of international cooperation. The technical and information offices of the Union render even greater services to the governments and peoples of the Americas. The Union is responsible for furthering economic, social, and cultural relations among all the American states.

Even more than being the instrument of action, the Pan American Union is the symbol of the harmony and amity that exists among the American Republics. The Western Hemisphere is showing the world that all countries do not have to be separated from their neighbors by barbed wire or by guarded frontiers. It is proving that cooperation results in mutual benefit, for while the degree of collaboration and solidarity of the Union have been increased, the sovereignty and the territorial integrity of the Republics have also been strengthened.

The pan-American nations have manifested their desire and ability to settle problems peacefully and permanently. We must always be ready to give their problems sympathetic understanding of equal, if not paramount, importance among those problems which beset us. In the Pan American Union we have a magnificent meeting ground to discuss our mutual hopes and aspirations.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. Mr. Speaker, I am happy to join the able and dedicated chairman of the Subcommittee on Inter-American Affairs, the distinguished gentleman from Alabama, and my colleagues both on the full committee and on the Inter-American Subcommittee in taking advantage of this opportunity to express our sentiment of friendship for our sister Republics to the south.

It is well that annually on Pan-American Day we pause in our deliberation on legislative matters to give recognition to the hemispheric ties that bind us and expression of our faith in and our affection for our sister American Republics.

The best interest of the United States and of our sister Republics is in a hemispheric solidarity in which we work together in the realization that what is bad for us or any of our neighbors is bad for all.

Anything that adversely affects the economy of any of the Latin Republics will have repercussions on our own economy.

It is in our own self-interest as well as in the advancement of the true spirit of hemispheric solidarity for our country, to understand the economic problems of our sister Republics and to give such assistance in the solution of those problems as we would give to the economic problems of one of our own States.

Today we are just that close together that we cannot afford to become caloused and hardened to the needs of a hemispheric neighbor.

Every year the distance in time that separates us is being narrowed. Soon with the completion of the Inter-American Highway thousands of American families will be touring through Latin lands. They will be meeting the peoples of those lands and making personal friendships that more and more will bring us into understanding.

GOLDEN CENTURIES FOR AMERICA

Mr. Speaker, years before World War II even, speaking over the radio nightly, I sought to project myself into the future, and I saw the Americas lying between the death throes of Europe and the birth pains of the Orient. Then I saw ahead maybe 5, maybe 10 golden centuries, the centuries that will be known in history as the golden centuries of the American influence. That, I think, is coming to pass. The Orient, with its great natural resources, with its great multitude of people, as the centuries roll on may well take on the responsibility of world leadership. The influence of Europe, which was once a world influence, little by little is being diminished and will grow less as the years roll on. In between this gap of a dying Europe and an Orient aborning will be the golden centuries of history in which the American influence will be predominant. American influence means not the influence alone of the United States but the combined influence of all the American Republics. Not many years from now in Argentina and in Brazil may be an industry and a population surpassing our own.

If ever there was the call of destiny to unite the peoples of a hemisphere in a common mission together to serve mankind and lift it to higher plateaus, that call today is to us in the Americas, wherever by the will of providence we have been placed, in North, Central, or South America.

In the eternal revolving of the cycle of history has come to our hemisphere this mission. I repeat what I said at the commencement of these remarks, what is bad for any people on the American hemisphere is bad for all the other peoples of our hemisphere. What is good for 1 of the 21 Republics is good for all.

HEMISPHERIC UNDERSTANDING NEEDED

Unfortunately, there have been misunderstandings. Some of those misunderstandings we are responsible for, and some of those misunderstandings we are not responsible for.

But any time an American tourist goes into a Latin country and laughs at a local custom or makes fun at what local people are doing, the gulf of misunderstanding is being widened.

Every time we, conscious of our world responsibilities, give more attention to other parts of the world than we give to our sister Republics, we are contributing to the widening of that gulf.

I think it was fortunate that the Vice President went to South America. I think it was fortunate that those hostile demonstrations occurred, because nothing could have opened our eyes as those regrettable incidents have opened our eyes to the gulf of misunderstanding that

was widening between our people and the peoples of Latin America.

If you take your neighbor for granted while you flirt with the stranger afar you may lose both the neighbor and the flirtation.

I wish to commend the distinguished gentleman from Alabama [Mr. SELDEN], the chairman of the Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs, for the energetic manner and the spirit in which he has taken hold of the responsibility that has come to him through the activities, the studies, and the counsel of his subcommittee, to narrow this gulf of misunderstanding and, indeed, to bring the United States and all the other republics on this continent into the fold of a real and an enduring brotherhood.

Mr. Speaker, this day I think will be the day on which the President will sign the bill introduced by my distinguished colleague the gentleman from Illinois [Mr. YATES], which passed this House before the Easter vacation and which passed the other body on yesterday and has gone to the White House. I refer to the bill authorizing money to pay the traveling expenses of 2,000 athletes coming from Latin America to Chicago for the pan-American games. This being Pan-American Day I am hopeful that the President today will affix his signature to the bill that reflects the very spirit of this day.

HISTORY OF PAN AMERICANISM

Simon Bolivar, at the Congress of Panama in 1826, provided the impetus for the idea of pan-Americanism. It was largely through his efforts that the blueprint for the inter-American system was drawn. Various conferences since then have provided the foundation for the growth and expansion of the house of America. As the structure grew, the American Republics sought to promote peace, prosperity, and a better life for all Americans.

The Rio Pact providing for collective action to maintain security within the hemisphere has been an important factor in the maintenance of peace. Technical cooperation programs aimed at improving living standards, providing social welfare and contributing to economic development, have helped to advance prosperity throughout the Americas.

Examples of the benefits achieved under the technical cooperation program are noticed in the educational, health, and economic fields. Our sister Republics now have free, universal, and compulsory education. Progress on the control of disease and epidemics along with improved health services has raised health standards. The development of their natural resources and technical know-how has resulted in increased economic activity.

Along with all these benefits there is a constant effort, through information and cultural exchange programs, to strengthen the ties of understanding and respect amongst the American Republics. The exchange of students, scholars, and leaders; the translation and exchange of books; and tourist travel have served to strengthen the pan-American structure.

Nevertheless, despite these brief examples of hard work and good intentions that have gone into the development of the inter-American system, many problems still create discord in pan-American relations. The riots during Vice President NIXON'S visit to South America and more recently in Bolivia are indicative of the tensions that still exist.

It is mutually beneficial to Latin America and the United States that the differences that do exist between them be erased. Only through the understanding of each other's problems can the house of America remain sturdy.

OUR TRADE WITH LATIN AMERICA

No reasonable American will question the need for prosperous nations to the south. Furthermore, trade with our neighbors is essential for our own welfare. In 1957 our exports to Latin America amounted to $4.7 billion, second only to Western Europe, and our imports in 1958 were as high as $3.8 billion. In addition, Latin-American trade is essential for our military security as a source of strategic materials. This need for their markets and their strategic goods makes it essential that our trade with Latin America continue to flourish and expand.

No American will question the need for secure nations to the south. It was to assure this security that the Rio Pact, guaranteeing that any attack on any American state will be considered an attack upon all, and the Caracas resolution stating that the domination by international communism of the governments or political institutions of any American state is a threat to peace, were adopted.

The Communist threat requires constant vigilance for its techniques are subtle. Through various fronts, the Communists try to lull the people into complacency. Through these fronts and with Soviet financial aid, meetings at every governmental level are organized; travel to Communist countries is arranged; certain candidates are selected, trained, and indoctrinated and publications in all languages are distributed. It is estimated that 135 newspapers are Communist owned or stick to the party line; that approximately 100 hours a week of shortwave broadcasts come into Latin America; and that much TV time is bought to sell Red propaganda.

Accompanying the Communists' propaganda offensive has been a step-up in the economic offensive. The Soviet bloc is dangling the lure of vast markets at stable prices. Although Communist trade with Latin America presently represents only a little more than 1 percent of all our neighbors' trade, for the future it could constitute a potential threat to our security.

INTER-AMERICAN BANK

Conscious of all these problems that are disturbing to the inter-American system, the sister Republics are showing a determination to solve them. Recently the committee of 21 representing all the 21 Republics announced the agreement on the formation of a regional bank to make resources available for various economic projects. The United States also announced it was ready to expand technical cooperation in Latin America and hopes to extend reciprocal trade agreements with the Republics. In addition, the idea of some sort of a regional Latin American market, similar to the European Common Market and Free Trade Area—with the hope of reducing fluctuations in price of primary commodities—has been discussed.

Another constructive idea, aimed at increasing the standard of living in the Latin American countries, was recently advanced by former Costa Rican Ambassador Gonzales Facio to the Organization of American States. Facio stated that since the region is largely protected from aggression by the United States, the Latin American States should consider the possibility of disarmament. His plan aimed at trimming the arms budgets of these countries and diverting the money saved to beneficial public projects, thereby aiding the development of one of the richest underdeveloped areas in the world.

All these attempts to solve some of the problems that are confronting the pan-American nations is indicative of their desire to solidify the foundation of the house of America.

It is especially appropriate on Pan-American Day that the United States and Latin America resolve that they will attempt to solve their difficulties in a spirit of mutual trust. As Dr. Eisenhower concluded in his report after his survey of the situation, Americans should make an effort to understand the problems, hopes, and desires of their southern neighbors. On the other hand, the peoples and governments of Latin America should try to become aware of the reasons for United States programs, policies and attitudes.

It is only through mutual understanding that fruitful cooperation can be attained. Once this is accomplished, there is no limit to the future progress and strength of the pan-American system.

On this Pan-American Day may the call of destiny to this hemisphere to its mission for mankind be heard in this land and in all the lands of our American hemisphere.

Mr. SELDEN. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, when a person goes to a foreign land, either for a visit or to live, the first impression is of the things that are different. Customs are different, languages are different, traditions are different, sometimes the color of the skin is different. These are the things that stand out.

During the 10 years I lived in a foreign country, the biggest lesson I learned was that "different" is not the same as "worse." I looked the two words up one time in the dictionary and they are not synonymous. A thing can be different without necessarily being worse. Sometimes I think the English word that causes more trouble in the world than any other is the four-letter word "only." "This is our way—ergo, it is the only way." Now, it is a good way, we like

it, we are proud of it, but it is not necessarily the only good way. Sometimes we create animosity around the world or alienate others largely because, with all good intentions, we are so sure of our way being the best or the only way that we give the impression of failing to appreciate that other folks are just as justifiably and properly proud of their way as we are of ours.

But as one continues to live in the other country, what one becomes more and more conscious of are not the things that are different, but the things that are alike; the deep things, the love of home and of family and of country, pride of culture, and the desire that things will be better for their children tomorrow than they are today. These are the same all around the world.

There is no better demonstration of this than here in the Western Hemisphere. The things on which we agree and the interests that unite us far outweigh the differences and the things that divide. There is no better example of the capacity of peoples with different backgrounds and cultures and traditions to live together in good will and mutual respect and cooperaton for the benefit of all. The unities are deeper and broader based than the difficulties that arise from time to time. There is more to be happy about in the relations between our countries than there is to be embarrassed or upset about.

Actually, we can be proud of the behavior of both sides. First, we can be proud of the overall record of our country in the Western Hemisphere.

We could have seized control or imposed our will on the hemisphere at almost any time in the last 150 years, but we never did. We declared a policy that guaranteed the independence of the American States from external domination, including our own domination, and we stuck to it. It was not a Democratic or a Republican policy; it was a U.S. policy. No matter what party was in power, Latin America knew, and the whole world knew, that the United States would not permit any European systems or sovereignties to establish themselves in the Western Hemisphere.

With all the mistakes that we freely admit have been made, mistakes due more to oversight or neglect than to action or to intent, the basic record of the United States is one in which we can take satisfaction.

Equally we can pay tribute to and be proud of the record of the Latin American countries. It is much harder to be the smaller brother than to be the bigger one. On the whole, these countries have exhibited great maturity and understanding, sometimes under difficult circumstances and despite irritating provocations. This demonstration of giving first importance to the fundamental likenesses and common concerns is the best assurance of steadily improving relations in the future—deeper understanding and greater cooperation in working for the things that are in the best interests of all of us.

I commend my colleague on the Committee on Foreign Affairs for the fine leadership which, as has already been said here, he has been giving to his Subcommittee on the Western Hemisphere. When it has sometimes been neglected by us a bit, it was not deliberate, but in a sense constituted a compliment to the Latin American nations. It evidenced that we had every confidence in their friendship and understanding and steadfastness, just as we expected them to have confidence also in ours. But even in your own family things go better if you do not take your loved ones too much for granted. They know that you are loyal and devoted to them, but they like it better if you take pains to reaffirm your attitude every once in a while.

Mr. Speaker, it is important to take advantage of Pan American Day and every occasion that comes along to speak out in behalf of the good things that stand out in our hemisphere—the unbreakable ties of common interest, of loyalty, and of common dedication to the basic values of freedom and democracy. Those are the things that we can rightly emphasize. They are even stronger today than in the past. The very fact that more of the smaller countries will speak up right to our face about matters where they believe we are in the wrong, is a sign of better relations, not of deteriorating relations.

I look forward to the next decade as the best in the history of our hemisphere. We are going to try our best to achieve that, and I know the wonderful group of fine people most of us have been privileged to meet from Latin America are going to try their best. Together we will continue to make headway toward this goal of a really solid, united hemisphere.

Mr. SELDEN. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, I join in the remarks which have been said today in supporting further friendship between our country and the other Americas. I want to commend the gentleman from Alabama, the chairman of the Subcommittee on Inter-American Affairs of the House Foreign Affairs Committee, for introducing this resolution and bringing it to the attention of the House.

Also I think it is interesting to note that our session today was begun with a prayer delivered by Father Joseph Thorning, who has an international reputation as a man who has done much to bring about a greater relationship between our countries, North, Central, and South America. His great work has been recognized. I think, too, it is interesting to note this is the 15th year in which he has participated so magnificently in bringing this to the attention of our people.

Mr. SELDEN. I thank the gentleman from Florida, and I join with him in commending the very fine work that has been done by Father Joseph Thorning in promoting inter-American solidarity.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I have been participating in these Pan-American ceremonies ever since I have been in the House. I may add that I am glad to see Father Thorning, the Padre of the Americas, appear for the ceremonies for his 15th year. The overtones of the program today are what impress me.

This is not merely a flow of platitudes and flowery phases, vis-a-vis Latin America today. We generally have the impression that this whole thing is a sort of musical comedy or operetta on a stage with the hot cha cha and mambos with strange characters in straw hats—and that has been unfortunate. Today, obviously, we are alarmed—we are concerned—we are aware that in the Caribbean and in Central and South America there is a dangerous and a serious and a vital and an important problem economically, diplomatically, spiritually, and in every other way. This program today under the leadership of our distinguished friend, the gentleman from Alabama is focusing the attention of the people of the hemisphere and all the world on the fact that the United States of America is adult and with maturity is now embracing an awareness of the real problems between our two peoples and the peoples of North and South America.

Mr. Speaker, today, as the storm clouds gather over the Caribbean areas, Pan-American Day assumes a greater significance in the history of all three Americas. It emphasizes anew the necessity for viewing the present ominous events, then, not as isolated incidents, but in the perspective of historical knowledge.

In that light, we should recall that of the various important leaders of this hemisphere, one of the first to recognize the importance of that area and to take an active interest in the idea of an interoceanic canal was Simon Bolivar, the great liberator.

In a famous "Letter to a Jamaican" in 1815 he expressed his desire for a canal at the Isthmus of Panama, predicting that—

> That magnificent portion [of America] situated between the two oceans will in time become the emporium of the universe. Its canals will shorten the distances of the world and will strengthen the commercial ties of Europe, America, and Asia.

It was only natural, Mr. Speaker, that when Bolivar became President of his country that he should bring about, on June 22, 1826, at the Isthmus of Panama the first Inter-American Conference of Nations, at which the canal idea was a point of discussion.

Now, more than 130 years later, we have seen some of his major dreams come true—a mark of the vision of this great pan-American leader. He and his ideas stand out more clearly than ever.

Mr. SELDEN. I thank the gentleman from Pennsylvania.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Iowa.

Mr. WOLF. Mr. Speaker, I would like to congratulate our good and distinguished friend from Alabama and associate myself with the gentleman from Alabama and others who have thought well to say something today in behalf of the remembrance of Pan-American Day.

There is no question that we have a responsibility to our neighbors to the south. I think it is significant to report, and I do not think it has been said today, that the per capita income of the people of Latin America per year is only $126. It has been said that communism feeds on the bellies of the hungry. We have an abundance that we might share with the undernourished of Latin America. We might think seriously of ways to do this. Our pan-American friends have tremendous resources both natural resources and the resources of the people of South America that are untapped today. I think we, today, can pause and think well how we might in America help these people tap their own resources for the betterment of their own society which, in turn, would serve to make better the society of all of us in the Western Hemisphere.

Mr. SELDEN. I thank the gentleman from Iowa.

Mr. BECKER. Mr. Speaker, I was delighted today to be on the floor to hear the opening prayer by my good friend, Father Joseph F. Thorning, and to hear his words of prayer for Latin American and pan-American friendship. While I have listened with great interest to the remarks of the gentleman from Alabama [Mr. SELDEN] and those of the gentleman from California [Mr. JACKSON], both of them have so well covered the many reasons for better understanding of the American countries, thereby further solidifying the spirit of friendship that is so vital in these times.

However, I would like to divert for a few moments to say a few words about Father Thorning, who has spent almost a lifetime studying and promoting friendly relations in the Pan American Union. Father Thorning studied in the universities of Latin America and has written books and articles on Latin America. He has been awarded the highest national decorations of other American Republics. He also holds the two highest decorations of Portugal and Spain and has always pointed out the value and importance of the mother countries in promoting the cause of friendship in the new world.

Due to the fact that Father Thorning has traveled through all the countries of Latin and South America and is well known for his great work among the people, he has been recognized by many countries and has been one of the greatest ambassadors of goodwill. On several occasions, particularly in the years of 1951 and 1956, he was officially appointed as a U.S. representative to inaugurations of South American Presidents.

I sincerely hope that he will live for many long years and be able to continue his great efforts in bringing about closer friendship and understanding with our neighbors to the south.

Mr. IRWIN. Mr. Speaker, as one who was born in Argentina and who lived there for more than half my life, I think it is important that we recognize the commemoration of Pan-American Day today by recalling the purposes for which the Organization of American States was created.



This great organization, oldest and most successful international union in the world, was established by the member states to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity, and their independence.

Those were the reasons for the birth of the organization when it came into being on April 14, 1890.

They are the same reasons why it is more urgent than ever before that the nations of the Organization of American States stand together.

It is more necessary than ever before that there is cooperation between these great states of the Western Hemisphere, that there is a strengthening of their relations in support of democracy.

All of the American nations are sovereign nations, born in an historical mold similar to that of the United States. And they have many historical, economic, and cultural interests in common.

We must not permit a wedge to be driven between our respective countries by those seeking the destruction of democracy.

We must, in commemorating the creation of this union so many years ago, rededicate ourselves to the ideals on which our basic foundations of freedom long have rested.

This union between the pan-American States is not a perfect one and there are few who would claim it to be so.

As one personally familiar with the history, the customs, the traditions and the language of our Latin neighbors, I urge the United States to regard them and their problems with the recognition they deserve.

We Americans must, I feel, give greater attention to the betterment of the social and economic status of our friends to our south.

In these perilous days, we must remember the underlying principles of the Organization of American States as stated in the charter of the OAS:

1. To strengthen the peace and security of the continent;

2. To prevent possible causes of difficulties and to insure the pacific settlement of disputes that may arise among the member states;

3. To provide for common action on the part of those states in the event of aggression;

4. To seek the solution of political, juridical, and economic problems that may arise among them; and

5. To promote, by cooperative action, their economic, social and cultural development.

Mr. BOLAND. Mr. Speaker, as April 14 commemorates a day in 1890 when the Organization of the American States was born, we celebrate it as a birthday. It is far more than a commemoration. Like other birthdays, it is also a beginning, the opening of another year of promise and expectation. The now many years of promise and expectation have been amply fulfilled. The effect has, moreover, been cumulative. As each year of harmony and cooperative achievement is added to the others of this remarkable Organization, its service to itself, to the 21 American Republics of which it is constituted, and to the world is increased, and multiplied.

BEGAN AS PAN AMERICAN UNION 69 YEARS AGO

This Organization began as the International Bureau of the Republics. For many years it grew and thrived as the Pan American Union. Under its appellation since 1948, as the Organization of American States, it has indeed reached maturity. Now in the 69th year of its admirable existence, it is the outward manifestation and practical realization of an ideal of international cooperation. The 21 American Republics have joined in voluntary union for the purpose of achieving an order of peace and justice; of maintaining friendship and security; of promoting close relations and constructive cooperation; while defending, withal, the sovereignty, the territorial integrity, and the independence of the 21 individual nations.

MUTUAL BENEFITS FOR 21 REPUBLICS AND THE WORLD

They joined for these purposes; they have faithfully pursued them; and there is continuing, gratifying achievement. The practical evidence of the accomplishment of these ideals appears in a multitude of forms. A series of conferences—usually known as the pan-American conferences—has, over the years, been the source of resolutions for expanding the activities of the Organization and creating means of effectuating them. Other special and technical conferences have been sponsored by the Organization to carry out its purposes. Technical and information offices have been set up at the headquarters of the Organization in Washington and serve as a fountain for similar offices throughout the Republics organized to promote cooperation in agriculture, foreign trade, travel, in statistical, cultural, labor, judicial, social, and various sorts of technical information; and to stimulate knowledge of and interest in the numerous American neighbors. The maintenance of these methods and devices of coordinating service are not only of mutual benefit to themselves. These cooperative activities are of significant value both in effect and as an exemplar to worldwide relationships.

Our dedication of this day to pan-American solidarity is an expression of gratification in achievement and faith in the future constructive cooperation of the 21 American Republics.

Mr. GALLAGHER. Mr. Speaker, it is an event unique in human history when 21 sovereign nations set aside 1 day each year, and proclaim that day as the symbol of their desire to live in peace with one another. We are privileged to celebrate that event today, the 69th anniversary of the Pan American Union.

But as we all know, this day has a meaning which goes beyond mere intentions for goodwill—for the 21 American Republics have achieved this close union only after generations of attempt and repeated failure. And as we all know, that which is accomplished after long hard work is much more treasured than something gained too easily, and without sacrifice. The first dreams of the day we celebrate today are more than

a century and a quarter old. They were the visions of the great South American liberator, Bolivar, who as far back as 1826 conceived of the idea of a union of the democracies of the Western Hemisphere. He hoped for an organization in which "the strength of all would come to the aid of anyone which might suffer from the aggression of a foreign enemy."

That idea failed then, and it failed several times again. But finally, despite years of internal strife, the vision of an American family of nations achieved fruition. As a result of a conference held in Washington in 1890, the foundations for the Pan American Union were laid. In the years since that time, there has been steady progress in building the mighty union we have today. Especially in the last 25 years, since our own country inaugurated the good neighbor policy, Bolivar's vision of a Pan American Union has flourished. We are honored to celebrate the event today, and we salute the body which implements the vision—the Organization of American States.

Mr. SELDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore [Mr. THORNBERRY]. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## PROHIBITING PAYMENT OF ANNUITIES AND RETIRED PAY TO OFFICERS AND EMPLOYEES OF THE UNITED STATES IN CASES INVOLVING NATIONAL SECURITY

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 238) providing for the consideration of H.R. 4601, a bill to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4601) to amend the Act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such Act, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, at the conclusion of my remarks I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, House Resolution 238 makes in order the consideration of H.R. 4601, to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes. This resolution provides for an open rule and 1 hour of debate.

The general purpose of this legislation is twofold:

First. This legislation continues in full force and effect the prohibitions now contained in the act of September 1, 1954, as amended, against payment of any Federal annuity or retired pay on the basis of the service of any individual who has committed an offense involving the national security of the United States.

Second. This legislation restores certain Federal retirement benefits, including survivor benefits, which under the existing provisions of the act of September 1, 1954, have been denied to a number of individuals not because of the commission by such individuals of offenses involving the national security but because of the commission by them of comparatively minor offenses which are in no way related to the national security.

The primary purpose of the act of September 1, 1954, as originally enacted, was to prohibit the payment of any Federal annuity or retired pay to any individual because of the commission by such individual of an offense involving the national security of the United States. However, such act, in its entirety and as now in effect, contains provisions which exceed this purpose and have resulted in the denial of Federal retirement benefits to certain individuals and their survivors for reasons which are not related to the primary purpose of such act. This bill will remedy that situation. This legislation was submitted by the U.S. Civil Service Commission as an official legislative proposal of the administration.

I urge the adoption of House Resolution 238.

Mr. BROWN of Ohio. Mr. Speaker, I have no requests for time, and I yield back my time.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MURRAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4601) to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4601, with Mr. EVINS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Tennessee [Mr. MURRAY] will be recognized for 30 minutes, and the gentleman from Kansas [Mr. REES] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Tennessee [Mr. MURRAY].

Mr. MURRAY. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, this legislation was introduced at the official request of the U.S. Civil Service Commission to accomplish two major purposes.

First. The bill clarifies and strengthens existing provisions of law which are designed to bar payment of Federal annuities or retirement pay to persons who have committed certain offenses relating to questions of loyalty to the United States or the national security.

Second. The bill corrects certain inequities arising under provisions of existing law which have had the effect of denying Federal annuities or retirement pay to many persons because of relatively minor offenses in no way related to loyalty or the national security. This latter class of persons already had paid full and adequate penalties prescribed by law for their offenses, only to be faced thereafter with the additional burden of losing valuable retirement benefits.

The dual purpose of H.R. 4601 is carried out by language in the bill amending Public Law 769, 83d Congress, in its entirety. This law bars payment of any Federal annuity or retired pay to individuals who are convicted of certain criminal offenses or who fail or refuse to testify or produce records, or make false statements, relating to their official duties in proceedings before judicial or legislative tribunals. The bar against payment applies indiscriminately to both security and nonsecurity cases. It extends to surviving widows and children as well as the individuals concerned.

In submitting the request for this legislation, the Civil Service Commission pointed out that on July 16, 1958, the U.S. Court of Claims held section 2 of Public Law 769 unconstitutional as it relates to the case of one Max Steinberg, whose annuity had been terminated because of his invoking protection of the fifth amendment in refusing to testify before a grand jury on a nonsecurity matter. The Department of Justice advises that the Supreme Court of the United States will not be asked to review this decision.

Of special concern to our committee is the fact that without this legislation it could be that Public Law 769, in its present form, would not be effective to deny Federal annuities and retired pay

to individuals whose offenses do involve the national security. This legislation, therefore, continues and clarifies the bar to Federal annuities and retirement pay in cases of wrongful acts or improper failure to act in matters involving the national security or questions of loyalty to the United States. It is believed that these cases are in such a special category that payment of annuities to offenders in this area would be repugnant to public policy and offensive to the ordinary individual's sense of justice. By their offenses against the national security they have forfeited all right to any Federal retirement benefits.

The bill which the Committee recommends amends Public Law 769, 83d, Congress, in its entirety so as to limit its application to matters involving the national security. It extends the annuity bar to a limited number of additional loyalty offenses which were omitted from that law.

The bill would retroactively remove the bar against annuity awards in postal depredation and similar cases. This would have the effect of automatically reopening and allowing the annuity claims already denied for other than security reasons. Any contributions refunded to individuals in these cases would have to be redeposited.

During the operation of Public Law 769, a number of very inequitable situations have developed whereby individuals have been severely punished by loss of valuable civil service annuities for relatively small infractions of the law having nothing to do with security. Most of these infractions occurred prior to the enactment of Public Law 769. The existing criminal laws already provide for suitable punishment, consisting of fines, imprisonment, or both, in these cases.

The Civil Service Commission reports that 166 persons have had their civil service annuities revoked as a result of Public Law 769, but that only 11 of these cases have any relation to security matters. The 11 individuals would continue to be barred from receiving annuities under H.R. 4601.

This bill was recommended unanimously by our committee. Its enactment will carry out the primary purpose of the original legislation, that is, to prohibit the payment of any Federal annuity or retired pay to any individual who commits an offense involving the national security of the United States.

The legislation, in its present form, should stand any court test since it is limited to offenses against the national security. In our opinion, payment of Federal retirement benefits to offenders in such cases would be shocking to the public conscience and morals and contrary to the high principles on which our Government is founded.

Mr. Chairman, I strongly urge favorable action on this legislation in the interest of the Government, from the standpoint of our national security policy, and in the interest of doing equity for individuals who, although guilty of no act or omission affecting the national security, have lost or will lose their retirement benefits under existing law.

This law, which was enacted in 1954 and which the present legislation modifies, was passed as a result of the conviction of one Alger Hiss. At the time the legislation was considered by our committee, Alger Hiss who had been convicted of perjury in connection with national defense matters, was in a Federal prison but was soon to be released from prison.

Our committee felt very strongly that Alger Hiss who had betrayed our national security when he occupied a high position in our Government should be denied the opportunity of receiving benefits in the form of annuities from our Government. For that reason the legislation was passed in 1954, but, frankly, the legislation went too far. It covered offenses not only involving our national security, but covered all kinds of offense crimes which violate the criminal laws of our Government, so far as theft and mishandling of the mails and embezzlement and many other offenses which in no way involved the national security of our Government.

As I have already stated, 166 persons have been deprived of their annuity as a result of the operation of this act which was passed in 1954. Of those 166 cases only 11 involved the national security of our country. I have here a list of all the annuitants who have been denied their annuities since the passage of Public Law 769 in 1954—125 of the 166 were postal employees. This list prepared by the Civil Service Commission indicates the different crimes for which these employees were convicted and on account of which they were denied their annuity. Most of these consisted of offenses like theft of the mails, using the mail to defraud, and embezzlement, and they were in no way related to national security or loyalty to our Government.

Your committee feels there has been an injustice to these persons who are being deprived of their annuity and who have not violated any laws respecting loyalty or the national security of our country. We do not think these people should be so penalized in this manner. This bill would restore to all of them their annuities retroactively to the time they were entitled to same, less any amount they have withdrawn.

There was no opposition to this legislation in our committee. It is meritorious. I trust it will be passed unanimously.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I think everybody on this floor has no respect for anyone who pleads the fifth amendment.

The fifth amendment is pleaded in order not to disclose what the defense is or what the crime might be on the theory that nobody has to testify against himself. My question is, Does this act permit people who pleaded the fifth amendment to get their full pension rights, or are they excluded, as they should be? I favor the passage of the bill, but I certainly do not want to put into business these fifth-amendment guys again.

Mr. MURRAY. If it concerns the national security or loyalty laws of our country, then they would be barred.

Mr. FULTON. How can you tell if it will affect the national security when these particular individuals plead the fifth amendment in order not to disclose and not testify? Why not have an amendment that bars anybody from getting these benefits under this legislation if he has pleaded the fifth amendment to prevent disclosure of what the crime might be?

Mr. MURRAY. I do not agree with the gentleman. If he refuses to testify about any matter involving national security or loyalty to the United States, then he would be covered by this legislation.

Mr. FULTON. How do you know that he is not involved in something that is against the security of the United States of America, because he clams up and refuses to testify and pleads the fifth amendment as a bar?

Mr. MURRAY. Because the very questions propounded to him which he refuses to answer would show they involve the national security laws of our country.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. With respect to the question raised by the gentleman from Pennsylvania, is it not obvious that the line of questions relating to which the witness invoked the fifth amendment would clearly indicate whether the matter related to national security or matters of loyalty?

Mr. MURRAY. Certainly so. And, I refer to the Steinberg case which was before the United States Court of Claims. In that case Max Steinberg was asked a question which did not involve national security or the laws of our country, and later on he was deprived of his annuity, and the Court of Claims held he should not have been. He refused to answer questions which did not involve jeopardizing our national security.

Mr. FULTON. Suppose that you have a witness on the stand before a court and the question comes up, "What is your name?" "Where do you live?" "Where were you born?" and the man says "I refuse to answer on the ground it might incriminate me," and pleads the fifth amendment. Now, what happens?

Mr. MURRAY. That question does not relate to national security. He would have to be asked a question specifically relating to the national security laws of our country and then refuse to answer.

Mr. FULTON. Has the court held it was unconstitutional simply on the point of the fifth amendment rather than on the point of national security?

Mr. MURRAY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Mr. Chairman, it is my understanding in the case before the courts that the chairman of the committee referred to it was so specifically ruled that this legislation was unconstitutional with respect to the invoking

of the fifth amendment in a matter relating to an internal revenue investigation. Is that not the statement which the chairman made?

Mr. MURRAY. That is correct, sir.

Mr. JOHANSEN. Now, may I ask a further question of the chairman. Is it not correct, Mr. Chairman, that the purpose of our committee in voting this bill out and the purpose and intent of the bill as specifically framed is in no way to repeal, to weaken, to modify, but on the contrary the purpose and intent is to strengthen the provisions of present legislation which relates to national security and to matters of loyalty?

Mr. MURRAY. The gentleman is entirely correct. Of course, after the conviction of Alger Hiss for perjuring himself, in connection with "clamming up" about certain secrets he had given to foreign agents who were trying to destroy our country, we felt that this legislation should be passed.

But at that time there was great hysteria in the country, and there was great wrath upon the part of the public against Alger Hiss' receiving an annuity when he was discharged from the penitentiary. But I must say now that the legislation went too far and covered not only the case of Alger Hiss and all those who had done violence to our national security and in matters of loyalty, but included as well offenses like theft from the mails, and so forth, which in no way related to our national security. So that is the purpose of this legislation, to confine the matter solely to questions of loyalty and national security.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield for a further question?

Mr. MURRAY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Is not the intent of this legislation, and of the legislative committee and of the Congress further attested to by the fact that there have been introduced into this House bills to repeal this legislation outright, and by the action of the committee in refusing to act favorably upon those bills we have further clarified our intent to strengthen the legislation on the books relative to questions of national security and matters of loyalty?

Mr. MURRAY. The gentleman is correct.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Maryland.

Mr. FOLEY. Mr. Chairman, I have a couple of questions to ask in connection with the observation of the distinguished gentleman from Pennsylvania. As a member of the committee I am in favor of H.R. 4601, but a couple of questions arise in my mind. I have in my hand a copy of the original act, which is now up for amendment, and in section 2 I invite the Chairman's attention and the attention of the other members of the committee, to this language in section 2283 of title 5 of the United States Code:

> There shall not be paid to any person who has failed or refused, or fails or refuses, prior to, on, or after September 1, 1954, upon the ground of self-incrimination—

And then the provision continues—

> to appear, testify, or produce any book.

Turning now to page 8 of the proposed amendment, section 2(a), beginning on line 13, we find reads as follows:

> There shall not be paid to any person who, prior to, on, or after September 1, 1954, has refused or refuses,

The language "upon the ground of self-incrimination" has been eliminated from the proposed amendment. But my question now pertains to page 7 of the report in support of this bill where it says in the first paragraph:

> Section 2 of the amendment is in two parts, as in the case of the first section, because of the necessity to include in this legislation certain security and loyalty offenses not covered by existing law.

It is the next paragraph which is significant:

> Section 2(a) of the amendment prohibits annuities or retired pay to persons refusing, on grounds of self-incrimination, to testify or produce documents, in proceedings relating to loyalty, or with respect to their relations with foreign governments. This continues present law, except as to offenses not involving loyalty.

The question I have is this. In view of the fact that this amendment proposes, as I understand it does, to delete the self-incrimination language as it does, I am at a loss to understand why in the report it states that there will be forfeiture of annuities or retired pay when an annuitant exercises his privilege under the fifth amendment. It is my understanding, under the Steinberg case—and I am now reading from the Steinberg decision in the U.S. Court of Claims, decided July 16, 1958, where on the constitutional question the court held:

> The offense in the case at bar was the action of plaintiff in invoking the fifth amendment. This, rather than an offense, is a constitutional guarantee. Thus does the taking of the fifth amendment constitute a breach of faith for which Congress can enact legislation providing for a sanction against improper practices of its officers and employees? We think not.

My question is this: Are we not, in adopting this amendment, eliminating any sanction or any penalty for the invocation of the constitutional guarantee under the fifth amendment? Or are we continuing the sanction or penalty which the Court of Claims has struck down as unconstitutional?

Mr. MURRAY. I do not think so, because in the Steinberg case no question of national security or loyalty was concerned. He was not asked a question about national security or about loyalty or about his conduct in connection therewith.

Mr. FOLEY. Is it our intention then to eliminate by means of this proposed amendment, H.R. 4601, any sanction that would be applied upon the exercise of the fifth amendment?

Mr. MURRAY. No, except as it relates to national security or to loyalty.

Mr. FOLEY. In other words, if a Government employee is called before a grand jury or a court or a committee of Congress and invokes the fifth amendment, that particular Government employee would not lose his annuity rights? Is that correct?

Mr. MURRAY. No. If it involves national security or loyalty, if it is a question like that, and he refuses to answer, then he would be subject to this act.

Mr. FOLEY. If he does invoke the fifth amendment under that circumstance he would suffer the loss of his annuity?

Mr. MURRAY. That is correct, as long as he refuses to answer any question concerning the national security or loyalty on his part.

Mr. FOLEY. Or if he is called before a committee or a grand jury in an inquiry into a national security or loyalty matter, and if this Government employee then invokes the protection of the fifth amendment, the mere fact that he invokes the protection of the fifth amendment would be a ground for forfeiting, canceling, and terminating his annuity rights. Is that correct?

Mr. MURRAY. As I understand, if it concerns the national security or loyalty as far as he is personally concerned.

Mr. FOLEY. Is not that position then in conflict with the position of the Court of Claims?

Mr. MURRAY. Not at all, because the Steinberg case was not based upon national security or loyalty. It did not pertain to national security or loyalty. Also, the Steinberg case was not appealed—one reason being this pending legislation which would have made the question moot.

Mr. FOLEY. The Steinberg case involved the invocation of the fifth amendment, a constitutional guarantee.

Mr. MURRAY. That is correct, but he was not asked about any matters involving him in connection with our national security and our loyalty.

Mr. FULTON. Will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I should like to comment on what the gentleman from Maryland has been bringing up here because it is a real point. If there is one method different from another in the exercise of the fifth amendment by a defendant, I should like to know it.

On the rule that if you plead the fifth amendment you plead the fifth amendment, that is pleaded for a loyalty purpose or a purpose that is criminal under a statute, I see no difference in the pleading of the fifth amendment, so I cannot see why in one case it is unconstitutional according to the Court of Claims when it is done for a personal, private reason and would then be constitutional when it is done for a loyalty reason or a security reason.

The next point is this: Obviously there has been no decision of the U.S. Supreme Court on this subject at all. We are simply guessing what the final appeal would be, because the decision has only been in the lower court, in the Steinberg case in the Court of Claims.

Mr. MURRAY. The gentleman from Pennsylvania [Mr. FULTON] can speak against the bill on his own time, but not on my time.

Mr. REES of Kansas. Mr. Chairman, I yield myself such time as I may require.

Mr. REES of Kansas. Mr. Chairman, I think the distinguished chairman of our committee has clearly explained the purposes of this legislation. This bill comes before this Committee with the unanimous approval of the House Committee on Post Office and Civil Service. Let me say, too, that it comes to you after long consideration and deliberation.

Our chairman has well said that about all there is to this legislation is that we went a little further than we intended to in the original legislation. It deals primarily with the question of national security and loyalty, and not so much with other subject matters that have been brought into this discussion today.

Briefly stated, this legislation is desirable to eliminate injustices resulting from denial of retirement benefits, under present law, to many individuals—and widows of some—for relatively minor offenses which do not involve questions of loyalty or the national security. At the same time, enactment of this legislation will clarify and strengthen the very desirable bar, intended to be provided by existing law, against payment of Federal retirement benefits to individuals who have committed offenses—or who have failed or refused to act when in duty bound—in loyalty or security matters.

To accomplish this twofold purpose, the bill completely rewrites Public Law 769, 83d Congress. That law was enacted for the primary purpose of prohibiting Federal retirement benefits for individuals guilty of wrongful acts or omissions in matters affecting the national security. The law was enacted in response to strong and widespread public demand. This demand arose because of the then pending payment of a civil service retirement annuity to an individual about to be released from a Federal penitentiary after serving a penal term for perjury before a Federal grand jury in a proceeding directly involving the national security. The entire country was deeply disturbed and indignant at the prospect that a Federal annuity could be paid in any such case.

I should say that the individual in question has not yet applied for the retirement benefits; but if he should apply, there will surely be a question as to whether he can collect. He has left the country, and I do not believe that any Member of this body would want to pay retirement benefits to an individual who decides to reside in a foreign country.

Although this was the primary purpose of the law, during the consideration of the legislation a number of additional offenses were written into the provision barring annuities. Many of these additional offenses in no manner relate to the national security. It appears clear at this time that the denial of annuities in these additional cases was above and beyond the primary purpose of Public Law 769 and should be stricken from the law in equity and good conscience.

It cannot be too strongly emphasized that H.R. 4601 continues, clarifies, and strengthens the original purpose of Public Law 769, that is, to bar Federal annuities and retired pay in cases of offenses against the national security. The decision of the Court of Claims in Steinberg against the United States declared section 2 of Public Law 769 unconstitutional in a matter relating to the invoking of the fifth amendment before a grand jury investigating a nonsecurity matter. Unless the security provisions of the law are strengthened, similar judicial decisions well might be handed down in the future declaring the entire present law unconstitutional.

H.R. 4601 removes the inequitable provisions of Public Law 769 by restoring all annuity rights in nonsecurity cases. The restoration is retroactive and will take effect as though Public Law 769 never had been enacted. Anyone who has received a refund of contributions to an annuity or retirement system will have to redeposit the refund to obtain restoration of benefits. In this connection, it is to be noted that many of the annuities which will be restored were denied for comparatively minor offenses. In many cases, no penalty was applied due to mitigating circumstances such as restitution, good records, and so forth. In a number of instances, the offenders were reemployed and rendered long and faithful public service, only to be denied annuities when they reached retirement age.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. FULTON. Why, if pleading the fifth amendment is not an offense in itself, is one kind of pleading of the fifth amendment invoked to have your retirement benefits canceled? On the record I would like to say if one is unconstitutional or one method of pleading the fifth amendment provides an unconstitutional result as to retirement benefits under this act, I think the second, although we like it less, will likewise result in an unconstitutional decision if it is sustained.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. FOLEY. I would like to associate myself with the conclusion reached by the gentleman from Pennsylvania and say that if it is unconstitutional for one purpose, it is unconstitutional for all purposes and that there cannot be a line drawn, and whatever may be our personal feelings in the matter if the matter is a constitutional right, it is a constitutional right, in my humble judgment, for all purposes.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. JOHANSEN. I would like to observe first of all that the question of what is or what is not constitutional seems in these latter days to be whatever the decision of a majority of the nine men across the street happens to be. Now, Mr. Chairman, does not the question amount to this—not whether there is a right to invoke the fifth amendment, but whether there is a right, a constitutional right to hold a job under an oath of loyalty to the Constitution and in the Federal Government and then refuse to give an accounting of one's performance of that job with respect to matters that involve national security and that involve loyalty to this Government and to the very oath that was taken. Is not the real issue whether or not we are going to make a constitutional right out of a Federal job without reference to willingness to testify as to the most basic responsibility of all, namely, that of loyalty to the Government and to the very oath that is taken?

Mr. REES of Kansas. I think the gentleman has stated the proposition correctly.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. FULTON. Would you explain to me—because that does bring up a question—if a citizen of the United States exercises his constitutional right, by what right or authority then does this Congress put a penalty on it?

Mr. JOHANSEN. I would point out, Mr. Chairman, if the gentleman will yield further, that the loss of the job would certainly be a penalty and the loss of the perquisites and privileges of the job, of which this pension is one, is, let us concede for all practical purposes, a penalty; but the question is whether the right to that job and to these perquisites is a constitutional right that is completely inviolate whether or not a person violates national security or refuses to answer questions related to his own performance in that office.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from California.

Mr. DOYLE. I had not prepared to make any remarks in connection with this bill, for which I will gladly vote. But I think perhaps the subject of pleading the fifth amendment by a witness comes before the House Committee on Un-American Activities more than any other committee of this House. Therefore, in view of the discussion about it, now in process, I might contribute a thought or so which might be helpful, and for the problem. In the first place, may I say, that the Supreme Court of the United States time and again has held that the pleading of the fifth amendment, by a witness before a congressional committee, does not even infer guilt or wrongdoing. It does not even infer guilt and is definitely not an admission of guilt; not of any kind or sort of guilt of criminal activity.

Mr. REES of Kansas. This legislation does not affect that.

Mr. DOYLE. But I wish to associate myself with the distinguished gentleman from Pennsylvania [Mr. FULTON] and the distinguished gentleman from Maryland [Mr. FOLEY] on the question they have raised, as to the constitutionality of the bill provisions in the fifth amendment. Of course, I am strongly in support of the bill. I hope this method of trying to strengthen our national security proves practical and legal. I compliment the committee upon its work on the problem. But, I think we ought to be dead sure that this bill, as it passes this House, is fully considered by the

other body and possibly in conferences, as to this particular point being discussed. I doubt very much if by this congressional legislation we can overcome many, many decisions of our Supreme Court which has so many times defined that the plea of self incrimination, known as the fifth amendment, is a basic constitutional right.

May I say this, and I say it with all due respect to the members of the committee: that I am one Member of this Congress who recognizes, that even though I may not like some of the decisions of the Supreme Court of the United States, the Supreme Court of the United States is the Supreme Court of the United States, under the U.S. Constitution. It interprets the law as we pass the laws of the land. We may not like it. Some of their decisions may prove inconvenient, and personally inconsistent with our individual opinion, but, nevertheless, under our constitutional form of government, the judicial department of our Government is represented by the Supreme Court of the United States. As a member of the California bar for over 30 years, and of the bar of the Supreme Court for many years, I wish to affirm my position again. It is, that the Supreme Court, as our highest Court, deserves the dignified expression of faith and confidence of this Congress and of every citizen of the United States. If it does not have this, the Commies and their fellow travelers will proclaim with loud glee and hilarity and their unpatriotic propaganda and their subversive activity, that our form of representative constitutional government has not worked well. We can honestly criticize a decision, but I do not conceive of it being strengthening to the endurableness of our constitutional government to condemn the Court itself. To do so, makes for weakness of our fortress against Soviet communism.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I would like to associate myself with a view expressed relative to the U.S. Supreme Court—and as long as it remains the Supreme Court and a truly judicial body, I have the utmost respect for it—some 90 years ago by Abraham Lincoln in his first inaugural address, when he said that if the decision of the Supreme Court in a specific case must thereafter become the irrevocable law of the land, then we will have ceased to be our own rulers in this country.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. I am not an attorney and certainly not a constitutional attorney, but I believe that those who feel this law may be unconstitutional because of the provisions which relate to the invoking of the fifth amendment are losing sight of the basic fact.

This is not a penalty provision in the true sense of the word. No one is, or will be, deprived of any of his own money. Under the terms of this bill he gets his money back, but because he has refused to testify when he has a duty to do so, by reason of his official position with the Government, the U.S. Government has a right to withhold from him any special benefits which accrue to him in this event. I submit, therefore, that what we are trying to do is to prevent an employee getting special benefits from the taxpayers when he has failed to keep his contract with the U.S. Government.

In this connection, I believe that these statements of public policy, set forth by the Post Office and Civil Service Committee, are significant:

> Adverse and hostile policies, attitudes, and other actions of certain foreign nations in the world today imperil the existence of the United States of America as a sovereign Nation. Proof exists at every hand that one of the primary objectives of the Communist enemy is the infiltration of the Government of the United States with hostile influences in order to undermine and overthrow the Government. It is beyond the bounds of right and reason that an individual, whose acts or omissions are calculated to impede the national defense, safety, and security or to give aid and comfort or secure any advantage to foreign hostile forces and influences, should derive any Federal benefit in the form of annuity or retired pay based on his service as a Government officer or employee. This committee cannot emphasize too strongly that inaction and disregard on the part of the Congress of the United States or of any other organ of the Government with respect to any such situation constitutes dereliction of duty of the most serious nature.
>
> It is apparent to this committee that a significant principle with respect to the nature of the benefits at issue has not been given the proper weight in the consideration of existing law. This principle is to the effect that an individual who assumes public office or employment accepts all of the obligations (explicit and implicit) of such office or employment as well as the emoluments thereof. When an individual enters the service of the United States, he imposes upon himself an extraordinary—even a unique—commitment of complete and unswerving loyalty to government and to country. This obligation of loyalty is preemptive of any and all rights and benefits accruing from public office or employment. Fulfillment of such obligation of loyalty at all times is an absolute condition precedent to the granting, vesting, and receipt of any right, benefit, or remedy arising out of the office or employment in the past, present, or future.
>
> Breach of this obligation or high trust by an individual guilty of an act or omission which impairs the national security abrogates from the beginning any obligation of the United States to pay benefits based on the service of such individual. All claims for such benefits must stand or fall along with those of the individual whose conduct is at issue. In the case of such breach of trust, it is entirely fitting and proper to deny such benefits and at the same time make appropriate return of contributions made by the individual concerned. These benefits are, in part, in the nature of gratuities because of Government contributions toward such benefits. In effect, the payment of any such benefits to any such individual would be shocking to the public conscience and morals and repugnant to the high principles on which our Government is founded. This was made abundantly evident, during the consideration of the bill that became Public Law 769, 83d Congress.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. FULTON. That brings up a remarkable question. Does Alger Hiss have a right to get his money back, with interest, from the Government, and has he asked for it?

Mr. CORBETT. The answer is that he has not received his money and he has not asked for it, but he is entitled to it.

Mr. FULTON. And is he entitled to interest on his money?

Mr. CORBETT. Certainly, as provided by the Retirement Act.

Mr. FULTON. Why did not the Solicitor General of the United States in the Steinberg case develop this on all aspects of the constitutional question? Why did he not appeal from the Court of Claims decision to the U.S. Supreme Court to clarify this question before recommending this legislation? Why did he not do it? Will somebody answer me on that?

Mr. CORBETT. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. CORBETT. The answer is that everybody agreed that there should be a change in the law to clarify and strengthen it and that further appeal would be undesirable, particularly since he was going to recommend this particular change in the law.

Mr. FULTON. I believe it was an error on the part of the Solicitor General not to have settled this question in advance before recommending legislation. This question of constitutionality should be settled; and all the gentleman from Maryland, the gentleman from California, and I are doing is simply trying to check out on all phases of this matter of constitutionality. Under the rules of the Supreme Court if a matter is unconstitutional in one phase the entire act falls. If they hold it is unconstitutional to put a penalty on a person for exercising his rights under a section of the Constitution of the United States we should not try to do what amounts to just that. I for one cannot see how a constitutional exercise of the right to plead the fifth amendment which the Supreme Court says is not even an inference of guilt gives Congress the right to assess a penalty against anyone exercising his constitutional rights.

Mr. CORBETT. It is not assessed on that ground, but because he has violated his obligation as an employee of the United States of America in refusing to give information which it is his duty to give because of accepting that employment.

Mr. FOLEY. In connection with the position taken by my distinguished colleague from Pennsylvania [Mr. FULTON] I would like to quote this language from the Supreme Court cited in the Steinberg case. The Supreme Court has held in the case of Slochower against the Board of Education:

> The privilege against self-incrimination would be reduced to a hollow mockery if its exercise could be taken as equivalent to a confession of guilt. The privilege serves to protect the innocent who otherwise might be ensnared by ambiguous circumstances.

My question, I may say to the gentleman from Kansas [Mr. REES], is this: As a member of the Post Office and Civil

Service Committee and one who is in favor of the adoption of H.R. 4601, it is my understanding that the purpose is to eliminate this unfair provision referring to crimes not involving national security and not involving loyalty. It is also my understanding that it is the purpose of the amendment, H.R. 4601, to eliminate that provision pertaining to the exercise of the constitutional right, in other words, exercising the guarantee provided by the fifth amendment. My opinion is based upon the fact that the original act, section 2, specifically authorized the forfeiture of benefits where the refusal to answer was on the ground of self-incrimination. H.R. 4601 eliminates that provision.

It seems to me that it was the intent of the committee when they reported out H.R. 4601 to eliminate all reference to the exercise of constitutional rights as forming the basis for the imposition of any penalty or sanction.

My question arises because of the fact that in the report of the committee on page 7 the statement is made:

> Section 2(a) of the amendment prohibits annuities or retired pay to persons refusing on ground of self-incrimination.

I concur in the opinion stated by the gentleman from Pennsylvania [Mr. FULTON] that the Court of Claims is correct in holding that for the exercise of a constitutional right, regardless of what that right may be, the Congress cannot impose any loss of any benefit, cannot impose any penalty or sanction. This is true not only in the case of crimes or misdemeanors, but in all other cases, and Congress cannot except from this fixed principle cases involving the serious charges of loyalty and security. Therefore I join with the gentleman from Pennsylvania in the conclusion that if this bill in any respect in loyalty or security matters seeks to impose sanctions or penalties upon the exercise of the constitutional guarantee under the fifth amendment that it will be struck down by the Supreme Court as unconstitutional.

Mr. REES of Kansas. As a member of the Committee on the Post Office and Civil Service, and one of the most diligent members of that committee, I believe the gentleman supports this legislation?

Mr. FOLEY. Yes; I am in favor of the bill; but my questions are prompted by the language in the report. The purpose of the amendment, as I understand it, is to eliminate the original provision which called for the forfeiture of benefits upon the exercise of the constitutional right. I have been somewhat at a loss to understand why that has not been categorically and positively set forth in the report, to prevent any conclusion from being drawn that the purpose of the bill is not to do away with the original provisions providing for a sanction or penalty upon the invocation of the fifth amendment protection.

Mr. REES of Kansas. The bill sets out the policy as carefully and clearly as can be done.

Mr. FOLEY. That is my understanding. It is the report that has misled me.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. Briefly. I think the gentleman supports this legislation?

Mr. FULTON. I am supporting it but it brings these questions up. We do not want to have the legislation declared unconstitutional merely because of the lack of congressional intent in the language we are setting out here. I believe our purpose is to make sure that we are not going beyond constitutional limits. This brings up a precedent, and I think the veterans' organizations of the country should take cognizance of this fact.

This brings up a precedent, as I say. Every action we take here is going to be cited as a precedent later. I am a former veteran and that brings to mind this: When somebody is convicted by a court-martial and discharged from the service, he loses his rank, his pay, his retirement, and his GI education rights, whether it is on the security of the country, loyalty or on a small little thing that sometimes would not even be a misdemeanor in a State. So, we are here in the U.S. Congress in one instance depriving a serviceman and his widow dependent, also his children, of support when it involves only a misdemeanor.

I hope that the veterans' organizations will look into this because there has been a lot of injustice done to many of our veterans in this country when they have been deprived of their retirement right, their disability right, their citizenship rights, yes, and their widow's and their children's support rights, and also they have lost their GI education rights that would simply make them better U.S. citizens. How can we say we are not doing that?

I strongly favor and recommend that the Congress and the Committee on Armed Services particularly take up the situation because there has been a tremendous injustice in many cases.

Mr. CORBETT. I do want to say to both the gentleman from Maryland and the gentleman from Pennsylvania that we appreciate the fact that their concern for the welfare of this legislation has prompted their remarks. But I do think this needs to be added: The full intent of the committee and those counseling on this bill was to bring here a measure that would provide, first, that no one who is guilty of subversion or disloyalty may secure additional gratuities or benefits from the people of the United States and, second, that employees, former employees, and their families not be deprived of their benefits because of comparatively minor offenses. That has been the intent, and I submit, as both the gentlemen pointed out, that this bill represents the best possible means to obtain these objectives. If a constitutional question exists, the ultimate decision will have to be with the courts of the United States. Further discussion on this matter here would seem to serve no purpose.

Mr. FOLEY. You have reference to a conviction for these offenses by a court of law rather than the exercise of a constitutional right, being the basis or the ground for forfeiture of the benefits, is that correct?

I repeat my question. Your views were premised on this basis, that the person involved has been convicted by a court of law of the charges against him and that the forfeiture of his benefit depends upon that act rather than upon the exercise of a constitutional right; is that correct, sir?

Mr. CORBETT. It is the failure to act on the part of the employee who is in duty bound to act in keeping with his contract made when he took office. It does not result in a penalty or punishment in the form of forfeiture of the benefit. It results in a justified refusal by the Government to give him a benefit because he has failed to act in accordance with the rules laid down which he accepted when he took office.

Mr. FOLEY. On the ground other than the protection of the fifth amendment invocation; is that correct, sir?

Mr. CORBETT. Any refusal or failure to act when it is his duty to act, whatever it might be, in violation of the contract between him and the Government of the United States seems to be due and adequate cause.

Mr. FOLEY. Which failure would include the invocation of the fifth amendment protection.

Mr. CORBETT. If the fifth amendment is being utilized as a shield for him to refuse to do his duty—and even possibly to aid and abet the weakening or destruction of the Constitution—certainly, then, the invocation of it itself is a violation of his contract of employment.

Mr. FOLEY. If it is on that basis, I disagree with you on the ground it would be unconstitutional.

Mr. FULTON. How can the invocation of a constitutional right guaranteed under the Constitution be a breach of his oath under the statutes that this Congress has passed for his protection? I do not understand that.

Mr. REES of Kansas. I gather from this discussion that we have had that no one who has spoken is opposing this legislation as it is written. We are glad to have this discussion and to have these matters pointed out. But let us remember that this matter of denial of retirement benefits deals only with the question of national security. I do not believe that the questions raised should delay approval of this legislation.

Again, it should be noted that this legislation was reported unanimously by the Post Office and Civil Service Committee and will carry out what is believed to be the recognized public policy.

In my judgment, this legislation should be passed by the House and enacted into law.

Mr. MURRAY. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes", approved September 1, 1954,

as amended (68 Stat. 1142, 70 Stat. 761; 5 U.S.C. 740b-740i), is amended to read as follows:

"That (a) there shall not be paid to any person convicted, prior to, on, or after September 1, 1954, under any article or provision of law specified or described in this subsection, of any offense within the purview of such article or provision to the extent provided in this subsection, or to any survivor or beneficiary of such person so convicted, for any period subsequent to the date of such conviction or subsequent to September 1, 1954, whichever date is later, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay—

"(1) any offense within the purview of—

"(A) section 792 (harboring or concealing persons), 793 (gathering, transmitting, or losing defense information), 794 (gathering or delivering defense information to aid foreign government), or 798 (disclosure of classified information), of chapter 37 (relating to espionage and censorship) of title 18 of the United States Code.

"(B) chapter 105 (relating to sabotage) of title 18 of the United States Code,

"(C) section 2381 (treason), 2382 (misprision of treason), 2383 (rebellion or insurrection), 2384 (seditious conspiracy), 2385 (advocating overthrow of government), 2387 (activities affecting armed forces generally), 2388 (activities affecting armed forces during war), 2389 (recruiting for service against United States), or 2390 (enlistment to serve against United States), of chapter 115 (relating to treason, sedition, and subversive activities) of title 18 of the United States Code,

"(D) section 10(b)(2), 10(b)(3), or 10 (b)(4) of the Atomic Energy Act of 1946 (60 Stat. 766, 767; 42 U.S.C., 1952 edition, sec. 1810(b)(2), (3), and (4)), as in effect prior to the enactment of the Atomic Energy Act of 1954 by the Act of August 30, 1954 (68 Stat. 919); Public Law 703, Eighty-third Congress; 42 U.S.C. 2011-2281),

"(E) section 16(a) or 16(b) of the Atomic Energy Act of 1946 (60 Stat. 773; 42 U.S.C., 1952 edition, sec. 1816(a) and (b)) as in effect prior to the enactment of the Atomic Energy Act of 1954 by the Act of August 30, 1954, insofar as such offense under such section 16(a) or 16(b) is committed with intent to injure the United States or with intent to secure an advantage to any foreign nation, or

"(F) any prior provision of law on which any provision of law specified in subparagraph (A), (B), or (C) of this paragraph is based;

"(2) any offense within the purview of—

"(A) article 104 (aiding the enemy) or article 106 (spies) of the Uniform Code of Military Justice (chapter 47 of title 10 of the United States Code) or any prior article on which such article 104 or article 106, as the case may be, is based, or

"(B) any current article of the Uniform Code of Military Justice (or any prior article on which such current article is based) not specified or described in subparagraph (A) of this paragraph on the basis of charges and specifications describing a violation of any provision of law specified or described in paragraph (1), (3), or (4) of this subsection if the executed sentence includes death, dishonorable discharge, or dismissal from the service, or if the defendant dies before execution of such sentence as finally approved;

"(3) perjury committed under the laws of the United States or of the District of Columbia—

"(A) in falsely denying the commission of an act which constitutes any of the offenses—

"(i) within the purview of any provision of law specified or described in paragraph (1) of this subsection, or

"(ii) within the purview of any article or provision of law specified or described in paragraph (2) of this subsection insofar as such offense is within the purview of any article or provision of law specified or described in paragraph (1) or paragraph (2)(A) of this subsection,

"(B) in falsely testifying before any Federal grand jury, court of the United States, or court-martial with respect to his service as an officer or employee of the Government in connection with any matter involving or relating to any interference with or endangerment of, or involving or relating to any plan or attempt to interfere with or endanger, the national security or defense of the United States, or

"(C) in falsely testifying before any congressional committee in connection with any matter under inquiry before such congressional committee involving or relating to any interference with or endangerment of, or involving or relating to any plan or attempt to interfere with or endanger, the national security or defense of the United States; and

"(4) subornation of perjury committed in connection with the false denial or false testimony of another person as specified in paragraph (3) of this subsection.

"(b) There shall not be paid to any person convicted, prior to, on, or after the date of enactment of this amendment, under any article or provision of law specified or described in this subsection, of any offense within the purview of such article or provision to the extent provided in this subsection, or to any survivor or beneficiary of such person so convicted, for any period subsequent to the date of such conviction or subsequent to the date of enactment of this amendment, whichever date is later, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10 (2) and (3) of this Act) which is creditable toward such annuity or retired pay—

"(1) any offense within the purview of—

"(A) section 222 (violation of specific sections) or section 223 (violation of sections generally) of the Atomic Energy Act of 1954 (68 Stat. 958; 42 U.S.C. 2272 and 2273), insofar as such offense under such section 222 or 223 is committed with intent to injure the United States or with intent to secure an advantage to any foreign nation,

"(B) section 224 (communication of restricted data), section 225 (receipt of restricted data), or section 226 (tampering with restricted data) of the Atomic Energy Act of 1954 (68 Stat. 958 and 959; 42 U.S.C. 2274, 2275, and 2276), or

"(C) section 4 (conspiracy and communication or receipt of classified informagency), or section 113 (aiding evasion of apprehension during internal security emergency), or section 113 (aiding evasion of apprehension during internal security emergency) of the Internal Security Act of 1950 (64 Stat. 991, 1029, and 1030; 50 U.S.C. 783, 822, and 823);

"(2) any offense within the purview of any current article of the Uniform Code of Military Justice (chapter 47 of title 10 of the United States Code), or any prior article on which such current article is based, on the basis of charges and specifications describing a violation of any provision of law specified or described in paragraph (1), (3), or (4) of this subsection, if the executed sentence includes death, dishonorable discharge, or dismissal from the service, or if the defendant dies before execution of such sentence as finally approved;

"(3) perjury committed under the laws of the United States or of the District of Columbia in falsely denying the commission of an act which constitutes any of the offenses within the purview of any provision of law specified or described in paragraph (1) of this subsection; and

"(4) subornation of perjury committed in connection with the false denial of another person as specified in paragraph (3) of this subsection.

"SEC. 2. (a) There shall not be paid to any person who, prior to, on, or after September 1, 1954, has refused or refuses, or knowingly and willfully has failed or fails, to appear, testify, or produce any book, paper, record, or other document, relating to his service as an officer or employee of the Government, before a Federal grand jury, court of the United States, court-martial, or congressional committee, in any proceeding with respect to—

"(1) any relationship which he has had or has with a foreign government, or

"(2) any matter involving or relating to any interference with or endangerment of, or involving or relating to any plan or attempt to interfere with or endanger, the national security or defense of the United States, or to the survivor or beneficiary of such person, for any period subsequent to September 1, 1954, or subsequent to the date of such failure or refusal of such person, whichever date is later, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay.

"(b) There shall not be paid to any person who, prior to, on, or after September 1, 1954, knowingly and willfully, has made or makes any false, fictitious, or fraudulent statement or representation, or who, prior to, on, or after such date, knowingly and willfully, has concealed or conceals any material fact, with respect to his—

"(1) past or present membership in, affiliation or association with, or support of the Communist Party, or any chapter, branch, or subdivision thereof, in or outside the United States, or any other organization, party, or group advocating (A) the overthrow, by force, violence, or other unconstitutional means, of the Government of the United States, (B) the establishment, by force, violence, or other unconstitutional means, of a Communist totalitarian dictatorship in the United States, or (C) the right to strike against the Government of the United States,

"(2) conviction, under any article or provision of law specified or described in subsection (a) of the first section of this Act, of any offense within the purview of such subsection (a) to the extent provided in such subsection, or

"(3) failure or refusal to appear, and testify, or produce any book, paper, record, or other document, as specified in subsection (a) of this section,

for any period subsequent to September 1, 1954, or subsequent to the date on which any such statement, representation, or concealment of fact is made or occurs, whichever date is later, in any document executed by such person in connection with his employment in, or application for, a civilian or military office or position in or under the legislative, executive, or judicial branch of the Government of the United States or the government of the District of Columbia, or to the survivor or beneficiary of such person, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay.

"(c) There shall not be paid to any person who, prior to, on, or after the date of enactment of this amendment, knowingly and willfully, has made or makes any false, fictitious, or fraudulent statement or representation, or who, prior to, on, or after such date, knowingly and willfully, has concealed or

conceals any material fact, with respect to his conviction, under any article or provision of law specified or described in subsection (b) of the first section of this Act, of any offense within the purview of such subsection (b) to the extent provided in such subsection, for any period subsequent to the date of enactment of this amendment or subsequent to the date on which any such statement, representation, or concealment of fact is made or occurs, whichever date is later, in any document executed by such person in connection with his employment in, or application for, a civilian or military office or position in or under the legislative, executive, or judicial branch of the Government of the United States or the government of the District of Columbia, or to the survivor or beneficiary of such person, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay.

"SEC. 3. There shall not be paid to any person—

"(1) who (A) after July 31, 1956, is under indictment, or has outstanding against him charges preferred under the Uniform Code of Military Justice, for any offense within the purview of subsection (a) of the first section of this Act, or (B) after the date of enactment of this amendment, is under indictment, or has outstanding against him charges preferred under the Uniform Code of Military Justice, for any offense within the purview of subsection (b) of such first section, and

"(2) who willfully remains outside the United States, its Territories and possessions, and the Commonwealth of Puerto Rico for a period in excess of one year with knowledge of such indictment or charges, as the case may be,

for any period subsequent to the end of such one-year period, or to the survivor or beneficiary of such person, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay, unless and until—

"(i) a nolle prosequi to the entire indictment is entered upon the record, or such charges have been dismissed by competent authority, as the case may be,

"(ii) such person returns and thereafter the indictment, or charges, is or are dismissed, or

"(iii) after trial by court or court-martial, as applicable, the accused is found not guilty of the offense or offenses referred to in paragraph (1) of this section.

"SEC. 4. (a) In the case of—

"(1) the conviction of any person, under any article or provision of law specified or described in subsection (a) of the first section of this Act, of any offense within the purview of such subsection (a) to the extent provided in such subsection, or the commission by any person of any violation of subsection (a) or (b) of section 2 of this Act, or

"(2) the conviction of any person, under any article or provision of law specified or described in subsection (b) of the first section of this Act, of any offense within the purview of such subsection (b) to the extent provided in such subsection, or the commission by any person of any violation of subsection (c) of section 2 of this Act,

any amounts (not including employment taxes) contributed by such person toward an annuity the benefits of which are denied under this Act (less any amounts previously refunded or previously paid as annuity benefits) shall be refunded, upon appropriate application therefor—

"(A) to such person,

"(B) if such person is deceased, to such other person or persons as may be designated to receive refunds by or under the law, regulation, or agreement under which the annuity (the benefits of which are denied under this Act) would have been payable, or

"(C) if there is no such designation, in the order of precedence prescribed in section 11(c) of the Civil Service Retirement Act (70 Stat. 755; 5 U.S.C. 2261(c)).

"(b) Each refund under subsection (a) of this section shall be made with interest at such rates and for such periods as may be provided under the law, regulation, or agreement under which the annuity would have been payable. Such interest shall not be computed—

"(1) if paragraph (1) of subsection (a) of this section is applicable, for any period after the date of conviction or commission of violation, as the case may be, or after September 1, 1954, whichever date is later, or

"(2) if paragraph (2) of subsection (a) of this section is applicable, for any period after the date of conviction or commission of violation, as the case may be, or after the date of enactment of this amendment, whichever date is later.

"(c) No person whose annuity is denied under this Act shall be required to repay that part of any annuity otherwise properly paid to such person which is in excess of the aggregate amount of his own contributions toward such annuity, with applicable interest.

"(d) No survivor or beneficiary of any such person shall be required to repay that part of any annuity otherwise properly paid to such person or to such survivor or beneficiary on the basis of the service of such person which is in excess of the aggregate amount of the contributions of such person toward annuity, with applicable interest.

"SEC. 5. (a) No person (including an eligible beneficiary under chapter 73 of title 10 of the United States Code or under section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504; 37 U.S.C., 1952 edition, Supp. III, sec. 374)) to whom payment of retired pay is denied under this Act shall be required to refund to the United States any retired pay otherwise properly paid to such person or beneficiary which is paid in violation of this Act.

"(b) In the case of the conviction of, or the commission of any violation by, any person to the extent provided in paragraph (1) or paragraph (2), as the case may be, of section 4(a) of this Act, any deposits made under section 1438 of chapter 73 of title 10 of the United States Code, or under section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504; 37 U.S.C., 1952 edition, Supp. III, sec. 374), to provide the eligible beneficiary with annuity for any period (less amounts previously paid as retired pay benefits) shall be refunded, upon appropriate application therefor, in accordance with such section 4(a), with interest as provided in section 4(b) of this Act.

"SEC. 6. (a) The right to receive an annuity or retired pay shall be deemed restored to any person convicted, prior to, on, or after September 1, 1954, of an offense which is within the purview of the first section of this Act or which constitutes a violation of section 2 of this Act, for which he is denied under this Act an annuity or retired pay, to whom a pardon for such offense is granted by the President of the United States, prior to, on, or after September 1, 1954, and to the survivor or beneficiary of such person. Such restoration of the right to receive an annuity or retired pay shall be effective as of the date on which such pardon is granted. Any amounts refunded to such person under section 4 or section 5(b) of this Act shall be redeposited before credit is allowed for the period or periods of service covered by the refund. No payment of annuity or retired pay shall be made, by virtue of such pardon, for any period prior to the date on which such pardon is granted.

"(b) The President is authorized to restore, effective as of such date as he may prescribe, the right to receive an annuity or retired pay to any person who is denied, prior to, on, or after September 1, 1954, an annuity or retired pay under section 2 of this Act, and to the survivor or beneficiary of such person. Any amounts refunded to such person under section 4 or section 5(b) of this Act shall be redeposited before credit is allowed for the period or periods of service covered by the refund. No payment of annuity or retired pay shall be made, by virtue of such restoration of annuity or retired pay by the President under this subsection, for any period prior to the effective date of such restoration of annuity or retired pay.

"(c) The right to receive an annuity or retired pay shall not be denied because of any conviction of an offense which is within the purview of the first section of this Act or which constitutes a violation of section 2 of this Act, in any case in which it is established by satisfactory evidence that such conviction or violation resulted from proper compliance with orders issued, in a confidential relationship, by a department, agency, establishment, or other authority of any branch of the Government of the United States or of the government of the District of Columbia.

"SEC. 7. No accountable officer or employee of the Government shall be held responsible for any payment made in violation of any provision of this Act if such payment is made in due course and without fraud, collusion, or gross negligence.

"SEC. 8. (a) The President may—

"(1) drop from the rolls any member of the armed forces, and any member of the Coast and Geodetic Survey or of the Public Health Service, who is deprived of retired pay under the provisions of this Act, and

"(2) (A) restore to any person so dropped from the rolls to whom retired pay is restored by reason of any provision of or change in this Act (including the provisions of section 2 of the Act which enacts this clause), his military status, and (B) restore to him and his beneficiaries all rights and privileges of which he or they were deprived by reason of his name having been dropped from the rolls.

"(b) If the person so restored was a commissioned officer he may be reappointed by the President alone to the grade and position on the retired list which he held at the time his name was dropped from the rolls.

"SEC. 9. This Act shall not be construed to restrict any authority under any other provision of law to deny or withhold benefits authorized by law.

"SEC. 10. As used in this Act—

"(1) the term 'officer or employee of the Government' includes—

"(A) an officer or employee in or under the legislative, executive, or judicial branch of the Government of the United States;

"(B) a Member of, Delegate to, or Resident Commissioner in, the Congress of the United States;

"(C) an officer or employee of the government of the District of Columbia; and

"(D) a member or former member of the armed forces, the Coast and Geodetic Survey, or the Public Health Service.

"(2) the term 'annuity' means any retirement benefit (including any disability insurance benefit and any dependent's or survivors' benefit under title II of the Social Security Act and any monthly annuity under section 2 or section 5 of the Railroad Retirement Act of 1937) payable by any department or agency of the Government of the United States or the government of the District of Columbia upon the basis of service as a civilian officer or employee of the Government and any other service which is creditable to an officer or employee of the Government toward such benefit under the law, regulation, or agreement providing such benefit, except that—

"(A) the term 'annuity' does not include any benefit provided under laws administered by the Veterans' Administration;

"(B) the term 'annuity' does not include salary or compensation which may not be diminished under section 1 of Article III of the Constitution of the United States;

"(C) the term 'annuity' does not include, in the case of a benefit payable under title II of the Social Security Act, so much of such benefit as would be payable without taking into account (for any of the purposes of such title II, including determinations of periods of disability under section 216 (i)) any remuneration for service as an officer or employee of the Government;

"(D) the term 'annuity' does not include any monthly annuity awarded under section 2 or section 5 of the Railroad Retirement Act of 1937 prior to the date of enactment of this amendment (whether or not computed under section 3(e) of such Act) and, in the case of any annuity awarded under such section 2 or 5 on or subsequent to the date of enactment of this amendment, does not include so much of such annuity as would be payable without taking into account any military service creditable under section 4 of such Act;

"(E) the term 'annuity' does not include any retirement benefit (including any disability insurance benefit and any dependent's or survivor's benefit under title II of the Social Security Act) of any person to whom such benefit has been awarded or granted prior to September 1, 1954, or of the survivor or beneficiary of such person, insofar as concerns the conviction of such person, prior to such date, under any article or provision of law specified or described in subsection (a) of the first section of this Act, of any offense within the purview of such subsection (a) to the extent provided in such subsection, or the commission by such person, prior to such date, of any violation of subsection (a) or (b) of section 2 of this Act; and

"(F) the term 'annuity' does not include any retirement benefit (including any disability insurance benefit and any dependent's or survivor's benefit under title II of the Social Security Act) of any person to whom such benefit has been awarded or granted prior to the date of enactment of this amendment, or of the survivor or beneficiary of such person, insofar as concerns the conviction of such person, prior to such date, under any article or provision of law specified or described in subsection (b) of the first section of this Act, of any offense within the purview of such subsection (b) to the extent provided in such subsection, or the commission by such person, prior to such date, of any violation of subsection (c) of section 2 of this Act.

"(3) the term 'retired pay' means retired pay, retirement pay, retainer pay, or equivalent pay, payable under any law of the United States to members or former members of the armed forces, the Coast and Geodetic Survey, and the Public Health Service, and any annuity payable to an eligible beneficiary of any such member or former member under chapter 73 (annuities based on retired or retainer pay) of title 10 of the United States Code, or under section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504; 37 U.S.C., 1952 edition, Supp. III, sec. 374), except that—

"(A) the term 'retired pay' does not include any benefit provided under laws administered by the Veterans' Administration;

"(B) the term 'retired pay', as applicable to retired pay, retirement pay, retainer pay, and equivalent pay, does not include any such pay of any person to whom such pay has been awarded or granted prior to September 1, 1954, insofar as concerns the conviction of such person, prior to such date, under any article or provision of law specified or described in subsection (a) of the first section of this Act, of any offense within the purview of such subsection (a) to the extent provided in such subsection, or the commission by such person, prior to such date, of any violation of subsection (a) or (b) of section 2 of this Act;

"(C) the term 'retired pay', as applicable to retired pay, retirement pay, retainer pay, or equivalent pay, does not include any such pay of any person to whom such pay has been awarded or granted prior to the date of enactment of this amendment insofar as concerns the conviction of such person, prior to such date, under any article or provision of law specified or described in subsection (b) of the first section of this Act, of any offense within the purview of such subsection (b) to the extent provided in such subsection, or the commission by such person, prior to such date, of any violation of subsection (c) of section 2 of this Act; and

"(D) the term 'retired pay', as applicable to an annuity payable to the eligible beneficiary of any person under chapter 73 of title 10 of the United States Code, or under section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504; 37 U.S.C., 1952 edition, Supp. III, sec. 374), does not include any such annuity of any such beneficiary if such annuity has been awarded or granted to such beneficiary, or if retired pay has been awarded or granted to such person, prior to the date of enactment of this amendment insofar as concerns—

"(i) the conviction, prior to such date, of the person on the basis of whose service such annuity is awarded or granted, under any article or provision of law specified or described in the first section of this Act, of any offense within the purview of such first section to the extent specified in such section, or

"(ii) the commission by such person, prior to such date, of any violation of section 2 of this Act.

"(4) the term 'armed forces' shall have the meaning provided for such term by title 10 of the United States Code.

"SEC. 11. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

SEC. 2. (a) Subject to subsection (b) of this section, any person, including his survivor or beneficiary, to whom annuity or retired pay is not payable under the Act of September 1, 1954, as in effect at any time prior to the date of enactment of this Act, by reason of any conviction of an offense, any commission of a violation, any refusal to answer, or any absence under indictment, or under charges, for any offense, shall be restored the right to receive such annuity or retired pay, for any and all periods for which he would have had the right to receive such annuity or retired pay if the Act of September 1, 1954, had not been enacted, unless, under the amendment made by the first section of this Act, such annuity or retired pay remains nonpayable to such person, including his survivor or beneficiary.

(b) No annuity accrued or accruing, prior to, on, or after the date of enactment of this Act, on account of the restoration, by reason of the amendment made by the first section of this Act and by reason of subsection (a) of this section, of the right to receive such annuity, shall be paid until any sum refunded under section 3 of the Act of September 1, 1954, as in effect prior to the date of enactment of such amendment, is deposited or is collected by offset against the annuity.

SEC. 3. The elimination, by reason of the amendment made by the first section of this Act, of section 10 of the Act of September 1, 1954 (68 Stat. 1145; Public Law 769, Eighty-third Congress), as in effect immediately prior to the date of enactment of this Act, shall not be held or considered to modify, change, or otherwise affect the amendment made by subsection (a) of such section 10 or the application of such amendment as provided in subsection (b) of such section 10.

Mr. MURRAY (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 7, strike out "740b-740l" and insert in lieu thereof "2281–2288".

Page 24, line 24, strike out the word "thereby" and the period and the quotation marks immediately following such word and insert in lieu thereof "thereby.".

Page 24, immediately following line 24, insert the following:

"SEC. 12. (a) Section 3282 of title 18 of the United States Code is amended by striking out 'three' and inserting in lieu thereof 'five'.

"(b) The amendment made by subsection (a) shall be effective with respect to offenses (1) committed on or after September 1, 1954, or (2) committed prior to such date, if on such date prosecution therefor is not barred by provisions of law in effect prior to such date."

Page 26, strike out line 23 and all that follows down through the period in line 6 on page 26.

The committee amendments were agreed to.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I ask the chairman and the ranking member of the Committee on the Post Office and Civil Service, whether this legislation is based in any respect on the legal premise that there are different ways of exercising rights under the fifth amendment of the Constitution? For example, are there any different ways of exercising the right of a citizen to plead the fifth amendment in a criminal proceeding?

Mr. REES of Kansas. The answer is "No."

Mr. FULTON. What does the chairman of the committee say about that?

Mr. MURRAY. The answer is "No."

Mr. FULTON. Mr. Chairman, then I believe that if the law is applied equally in the matter of exercise or invocation of the fifth amendment, if this act were unconstitutional in one situation of such invocation or plea, it would have to be of necessity unconstitutional as to this particular provision in the next instance when the fifth amendment is pleaded, regardless of what the reason is, or the degree of the offense whether security or loyalty charge, felony or misdemeanor. I believe that that particular section of the legislation will be unconstitutional and therefore we should give it further study by the proper committee on the conference. We in Congress have the obligation of making the intent of the Congress clear, and must neither transgress constitutional limitations nor make laws that require different exercise of the same rights under any section or amendment of the U.S. Constitution.

Mr. CURTIS of Massachusetts. Mr. Chairman, I strongly favor this bill and hope that it will receive broad support.

This bill corrects an unfair situation which first came to my attention as the result of the hardship caused to a constituent who appealed to me.

Her difficulty resulted from the forfeiture of annuities required under the act of September 1, 1954, Public Law 769, 83d Congress, which the bill now before us amends.

My constituent was the widow of a civil-service employee. As a result of over 30 years of Government work, and payments into the retirement fund, he built up rights which would have entitled his widow to substantial retirement benefits. These, however, were denied to her because her husband had, in 1940, prior to the passage of the above 1954 law, been guilty of a minor mail theft, for which he had been duly punished.

He was for a time separated from the service, but was later reinstated and continued in good faith making payments into the retirement fund.

I felt that this forfeiture of benefits, the burden of which fell on the innocent widow, was unnecessarily harsh and went beyond what was properly needed for the protection of the public. It appeared to me that if the forfeiture provisions were confined to offenses against the national security, that would both bring about a fairer result and would bring the act of September 1, 1954, in line with the main purposes of that act.

I therefore filed a bill to limit in this manner the act of September 1, 1954. This was H.R. 9164 in the 85th Congress, 1st session. The Civil Service Commission reported favorably on this bill. It concurred in its objective and proposed substitute language which, in fact, formed the basis of the bill now before the House. The Committee on Post Office and Civil Service, in its report on the bill now before us, gave its firm support to the above objective where it said on page 3:

> The primary purpose of the act of September 1, 1954, as originally enacted, was to prohibit the payment of any Federal annuity or retired pay to any individual because of the commission by such individual of an offense involving the national security of the United States. However, such act, in its entirety and as now in effect, contains provisions which exceed this purpose and have resulted in the denial of Federal retirement benefits to certain individuals and their survivors for reasons which are not related to the primary purpose of such act.

This is a just bill which preserves and strengthens the main purpose of existing law and at the same time tempers justice with mercy. It should receive the support of this House.

Mr. FOLEY. Mr. Chairman, I am gravely concerned that the legislative history of this bill, H.R. 4601, will not clearly reflect the intent of the Members of the House of Representatives in passing it today. In voting for H.R. 4601, I wish to make clear that my vote is based upon the fact that section 2 of the bill deletes from original title 5, United States Code, section 2283, the words, "upon the ground of self-incrimination." By this deletion, it is my understanding that the Committee on Post Office and Civil Service, of which I am a member, intended to remove any and all bases for holding the act unconstitutional insofar as the exercise of the constitutional guarantee against self-incrimination is involved.

By way of recapitulation, I wish to point out that the present act reads as follows:

> Title 5, United States Code, section 2283: "There would not be paid to any person who has failed or refused, or fails or refuses, prior to, on, or after September 1, 1954, upon the ground of self-incrimination, to appear, to testify, or produce, any book, papers, record, or other document, with respect to his service as an officer or employee of the Government or with respect to any relationship which he has had or has with a foreign government, in any proceeding before a Federal grand jury, court of the United States, or congressional committee."

The pertinent provision of H.R. 4601 is as follows:

> SEC. 2(a). There shall not be paid to any person who, prior to, on, or after September 1, 1954, has refused or refuses, or knowingly or willfully has failed or fails, to appear, testify, or produce any books, paper, record, or other document, relating to his service as an officer or employee of the Government, before a Federal grand jury, court of the United States, court-martial, or congressional committee, in any proceeding with respect to—.

Special attention is called to the fact that H.R. 4601 deletes the language "upon the ground of self-incrimination." The overall change brought about by H.R. 4601 is to limit section 2's application to matters involving the national security or defense of the United States. Title 5, section 2283 now applies to all aspects of a Federal officer or employee's service whether or not national security or the defense of the United States is involved. Limiting section 2 to loyalty and security matters, in my judgment, is an important improvement over the present law. Likewise eliminating references to the fifth amendment, in my judgment, now makes certain the provision is constitutional. This conclusion is based upon the decision of the U.S. Court of Claims in Steinberg against the United States rendered in July of 1958. With this understanding, I have voted for H.R. 4601.

I wish to direct attention, however, to what appears to me to be a mistaken and unfortunate statement in the committee report to accompany H.R. 4601. On page 7 appears the following language:

> Section 2 of the amendment is in two parts, as in the case of the first section, because of the necessity to include in this legislation certain security and loyalty offenses not covered by existing law.
>
> Section 2(a) of the amendment prohibits annuities or retired pay to persons refusing, on grounds of self-incrimination, to testify or produce documents, in proceedings relating to loyalty, or with respect to their relations with foreign governments. This continues present law, except as to offenses not involving loyalty.

The implication from this language is that invocation of the protection of the fifth amendment still may be the basis for the forfeiture of annuity benefits in cases involving Federal loyalty and security issues. I strongly condemn every person found guilty of disloyalty to the United States and equally condemn one who jeopardizes the security of the United States. Treason is a heinous crime. However, the Federal Constitution insures an accused person of a fair trial and one of the aspects of a fair trial is the guarantee against self-incrimination. Therefore, in my judgment, it is not the intent of the House of Representatives in passing H.R. 4601 to provide that the invocation of the protection against self-incrimination will provide the occasion for the forfeiture of annuities or retired pay benefits. With this understanding, I have voted for H.R. 4601.

The CHAIRMAN. Are there any further amendments?

If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4601) to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes, pursuant to House Resolution 238, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE TO EXTEND

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may insert their remarks in the RECORD prior to the vote on the bill H.R. 4601.

The SPEAKER. Without objection it is so ordered.

There was no objection.

## AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 240 and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union

for the consideration of the bill (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Astronautics, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, House Resolution 240 makes in order the consideration of S. 1096, which provides for the authorization of supplemental appropriations for fiscal 1959 to the National Aeronautics and Space Administration. The appropriation would cover salaries and expenses, research and development, construction and equipment, and for other purposes. This resolution provides for an open rule and 1 hour of debate.

The total sum to be authorized is $48,354,000 for the following purposes:

First, salaries, $3,354,000.

Second, research and development, $20,750,000.

Third, jet propulsion laboratory, Pasadena, Calif., $9 million.

Fourth, global range tracking and communication facilities, $15,250,000.

The major items to be procured under research and development are the satellite capsules, 12 to be delivered during fiscal 1960. Booster systems, including solid-rocket clusters and liquid systems, are likewise being procured to provide for a progressive series of unmanned flights at increasing velocities up to orbital speeds to refine both vehicular systems and operational techniques to insure the safety of later manned operations.

The jet propulsion laboratory item of $9 million provides for expansion and modernization of the facilities at Pasadena, Calif.

The item of $12 million plus for tracking facilities is needed to improve present sites and build new ones as this phase of the satellite program is ever changing due to increases in the speeds of the satellites.

This is a Department bill approved by the Bureau of the Budget.

I urge the adoption of this resolution.

Mr. Speaker, there is 1 hour of debate on this legislation. I know of no opposition to the rule.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, I have no requests for time.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. BROOKS of Louisiana. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1096, with Mr. COFFIN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BROOKS of Louisiana. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the purpose of S. 1096 is to authorize supplemental appropriations for the National Aeronautics and Space Administration for the fiscal year 1959.

This authorization bill is divided into three parts:

First. Salaries and expenses, $3,354,000.

Second. Research and development, $20,750,000.

Third. Construction and equipment, $24,250,000.

I would like to briefly explain these portions of the bill. First, the $3,354,000 supplemental estimate for salaries and expenses is to cover the cost of salary increases provided for by the Federal Employees' Salary Increase Act of 1958. Funds for these salary increases were not provided to NASA last year. I want to emphasize that these funds do not provide for any additional positions. We may have to come before Congress and ask for some additional positions in the 1960 authorization bill, but, insofar as this fiscal year 1959 supplement is concerned, NASA is only asking for funds to pay for the salary increases voted by the Congress last year.

Next, let me turn to the $20,750,000 request for research and development. These funds are earmarked entirely for the manned space flight program—Project Mercury. I believe all the Members of the House recognize that it is becoming increasingly evident that full exploitation of the potentialities of space flight for benefiting mankind will be dependent on the development of practical capabilities for operating manned space vehicles. Now, in order to provide this capability, a progressive program of research and development has been undertaken. I believe all of you recognize that the American people would not look with favor on any program to put a man in space unless we were sure we could bring him back safely. In order to obtain this assurance, it will be necessary to make exhaustive tests and trials. This will be done by launching satellites and later we will put primates into space in order to test their reactions. If everything goes as we have planned, we can look forward to putting a man into space at a later date. Just how soon this will be is dependent on the tests, but I am most hopeful that it can be done in less than 2 years.

The major items to be procured for this project are the satellite capsules. Twelve capsules will be delivered during fiscal year 1960. In this bill NASA is requesting a total of $4 million for the designing, engineering, and early construction phases of these satellites. Sixteen million dollars is being requested for eight boosters—four Redstone and four Atlas. These will be used for short-range tests and qualification flights. Another item of $200,000 is for data acquisition and handling equipment; $500,000 for simulators and personnel equipment for human factor research and personnel training; and $50,000 for other research and development costs. As I mentioned previously, this brings the total in the bill to $20,750,000.

I would next like to turn to the provision in the bill for construction and equipment. The amount of this authorization is $24,250,000.

This authorization is needed to provide new facilities, improvements to existing facilities and the acquisition of approximately 70 acres of land for the jet propulsion laboratory at Pasadena, Calif. The authorization for this facility would be $9 million. The jet propulsion laboratory was under Army control, but was transferred to NASA in December of 1958. This laboratory has done outstanding research and development work in missile, satellite, and space probe fields, and NASA expects to rely highly on the laboratory in the future for advanced research and development in support of the national space program. However, the laboratory needs extensive modernization and expansion. It is necessary to acquire 67.56 acres of land, construct roads and utilities, relocate test facilities, modernize existing support facilities, and construct a few new support facilities. The estimated completion time for the facility is 14 months.

The next item in the bill is for global-range tracking and communication facilities and equipment. It is necessary to provide basic tracking, data acquisition, and communications capability that is essential for instrumentation coverage of satellites and space vehicles to be flown during the next 12 to 18 months. It is necessary that we extend and improve the earth satellite electronic tracking network. I believe you will all agree that it does little good to put satellites into orbit if we cannot track the satellites and have sufficient communication equipment to receive the information which the satellite can give out. For instance, to receive the tracking and reception of telemetry data from space probes will require the provision of special high-gain, low-noise receiving systems at several points on the earth's surface. One of these stations has already been built at Goldstone, Calif., and it is necessary to provide funds for the establishment of two additional stations, one in Australia and the other in South Africa. It is also necessary to provide for a tracking station at a location in southern Texas. This station will be used for the Project Mercury program and will provide the critical tracking capability during the final stages of reentry. The tracking facilities authorization is for $12,050,000.

Added to this sum for tracking facilities is $3,200,000 for propulsion development facilities. Very briefly, I can say that

these funds are to be used to further develop the single-chamber rocket engine, having a nominal thrust of 1 million pounds. I do not believe that I have to elaborate on the need for a big rocket engine. If there is any one place in our research and development where America is behind Russia, it is in the development of large thrust engines. It is obvious that Russia leads America in this respect. This is why the Soviets have been able to put into orbit larger payloads than we have been able to launch. In this respect, we are working on two programs. One is to cluster existing engines of approximately 250,000 pounds of thrust capability each, and the other, development for which supplemental funds are requested in this bill, is to develop the single-chambered engine with 1 million pounds of thrust.

Now, that concludes my explanation of the total amount requested in the bill.

I might also add that a provision of the bill permits a variation of 5 percent in the construction and equipment items, but the total authorization cannot be exceeded. This has become more or less standard procedure in this type of legislation. The departments make the best estimates they can when coming before Congress to ask for these funds, but when bids are received they may be lower, and more often higher, than anticipated. Consequently, the Congress has permitted the departments of Government to vary upward a reasonable percent in order to meet usual cost variations, but I remind you, again, that this does not permit NASA to exceed the total authorization.

Section 2 of the bill authorizes an emergency authorization of $500,000 which, with the approval of the Bureau of the Budget, may be used for the construction of new research facilities or for the modification of existing research facilities, providing the new construction or modification has not been previously denied by Congress. This authority is necessary to meet emergencies which may arise or to take care of breakthroughs which may occur when the Congress is not in session. If this authority is not provided, NASA may not be able to meet the emergency or exploit the breakthrough until Congress has reconvened and a new request for funds could be approved. Again, I point out that there is ample precedence for this type of provision. For example, the military construction bill carries such an authorization. It should also be noted that this emergency fund of $500,000 cannot exceed the total authorization by the bill for the construction facilities.

The committee amended the bill by requiring NASA to notify the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Science if a decision is made to use the authority in section 2. The committee feels that the Congress would be better satisfied if the committees of Congress monitored the use of the authority in section 2.

Mr. Chairman, I would like to say that the Committee on Science and Astronautics voted this bill out unanimously and it passed the Senate without a dissenting vote.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. GROSS. Am I correct that none of the money is to be used for the rental of space in various buildings for the Science and Space Administration?

Mr. BROOKS of Louisiana. There is not a cent in this bill for rental payments. These three items that I have already mentioned cover the contents of the bill.

I might say that the total amount authorized in the bill is $40,354,000. I think I have covered all the features of the bill unless it be one item which is a breakdown of one of the features of the bill.

Mr. ANFUSO. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. ANFUSO. I want to congratulate the distinguished chairman of the Committee on Science and Astronautics for his very clear explanation of this bill and for his leadership in the House in getting this space program well under way. I know that his committee has met almost every day and accomplished in 3 months what ordinarily would take years to accomplish. I congratulate the House in having such a leader of the Committee on Science and Astronautics.

Mr. BROOKS of Louisiana. The gentleman is kind. His compliments are not entirely deserved. The committee itself has worked in unison. We have had no trouble in the committee, but it is difficult to start from scratch with a new committee covering problems such as those which the committee has had before it. We have worked as a team, without any friction and without any trouble. I want to express my appreciation to all members of the committee, on both sides of the aisle, who have worked so hard.

Mr. KING of Utah. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. KING of Utah. As one of the junior members of the new Committee on Science and Astronautics, I should like to offer my congratulations for the work done by the committee under the leadership of the distinguished gentleman from Louisiana. Most Americans realize that the space program is important in connection with our defense effort, but beyond that many of them feel that our space effort is only an expensive toy. I should like to leave the thought that this program is not an expensive toy; that we are standing on the threshold of a new industry that the wildest imagination cannot fully encompass. I am told by scientists that in the field of meteorology alone, weather forecasting, the entire cost of the space program will be paid back in dollars and cents. When we move into the field of radio and television broadcasting and in the field of astronomic observation and in the field of reconnaissance and many, many other fields that have nonmilitary application, we realize that we are indeed standing on the threshold of great and wonderful events that have nothing to do with our military forces.

I hope that the Members of this distinguished body and all citizens of our country can grasp the vision of this tremendous program that lies ahead of us.

Mr. BROOKS of Louisiana. I think the observations of the gentleman are well taken. When we see businessmen making up the fiber of American industrial life come before us and tell us about the need for this program and the fact that they are spending millions of dollars themselves in the development of the program we all know it is a realistic one which we must face and have to develop.

Mr. FULTON. Mr. Chairman, I yield myself 8 minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. FULTON. Mr. Chairman, I believe the Congress should know that the field of space and science is one place where partisanship so far has not had a very great effect. As a member of the previous House Select Committee on Space and Astronautics that worked last year—I see some of the members of that committee sitting here today—it was a pleasure to work under the leadership of my good friend the gentleman from Massachusetts, Mr. JOHN MCCORMACK, majority leader, and likewise under the leadership of my good friend the gentleman from Massachusetts, Mr. JOSEPH MARTIN, who at that time was minority leader.

We at all times had unanimous decisions and unanimous committee reports. We at all times, every Member of us, put the country and the interests of science and progress above everything else, and put partisan pride so far down the line that it played no part in our decisions. As a matter of fact, when the bills on space have passed this House, they have passed unanimously. The same has happened in the other body. Then when points of disagreement had been ironed out in the conference committee the reports again were unanimous, and the acceptance of those conference reports by both the House and the Senate was unanimous.

We on the new Science and Astronautics Committee of the House are coming to you today to ask for a further authorization of appropriations in the amount of $48,354,000. If you will look at it closely you will find that it is not new money we are asking, because it was all asked for last year. Last year it was felt that the agency personnel were not quite ready with the program and at that time could not use it efficiently. The only amount of really new money is that caused by the Federal Salary Increase Act of 1958. To meet the requirements of that act this National Astronautics and Space Agency requires $3,354,000 of this total sum requested.

As has been pointed out to you in the excellent statement of the chairman, Mr. BROOKS of Louisiana, in addition, for research and development, we are asking $20,750,000; for construction and equipment, $24,250,000, a total of $48,354,000.

This legislation was reported out of our committee unanimously; that is, both sides of the committee, consisting of 25

members—15 Democrats and 10 Republicans—have agreed that this is in the interest of the United States and is necessary for efficient and economical administration and progress. This particular amount has been included in the President's budget and has also been approved by the Director of the Budget, so that it has been carefully screened on the budgetary level as well.

I would like to speak about the gains there are to be from this space program. Those gains are not all theoretical ones; they are gains that are practical and within our own view at this time. For example, Dr. Reichelderfer, Director of the U.S. Weather Bureau, has stated that with an adequate system of weather prediction we would be able to predict far in advance storms, hurricanes, tornadoes, rainfall, floods, droughts, and so forth. This would be good for our cities, agriculture, and good at sea as well, also good for our communications that are now interfered with because of magnetic storms. Dr. Reichelderfer estimates the total savings there could be under such an adequate program of weather forecasting for the United States yearly in the sum of $4 billion. I emphasize that he estimates there would be that amount of savings to the United States alone. As a member of the Committee on Foreign Affairs it would likewise help us in our foreign aid programs because we would not always be having these disasters coming up abroad with emergency needs.

It has been pointed out, and I would like to emphasize, that we in America are ahead with our ICBM program. This is my considered judgment as a serious hardworking student of this subject, and is no casual opinion. We in the United States are going ahead on a broad basis, not only in the size of the vehicle but in the size of the engine, also in the guidance and control developments. Our programs in these fields are much more intricate and developed than the Russians, or any of our U.S. allies. Of course, the Russians had big artillery, they have always had mass forces. So it was very logical for them to end up with a tremendous kind of an instrument or space vehicles that would go off with a tremendous bang and a lot of push but not be very well controlled. That is just about what has happened.

The United States has developed a more sophisticated control. We are trying to get the right combination of weight, size, acceleration, and velocity, and combine them with good control. Our overall programs that have been worked out by the Department of Defense, under the supervision and direction of our competent Secretary of Defense, Neil McElroy, and particularly with the help of Roy Johnson of the Advanced Research Projects Agency, Dr. York and Admiral Hayward, have been well done. We people of the country should not throw up our hands when we find the Russians with bigger vehicles and a bigger bang than we have at this time. The question is, Do they have control? The answer is, they cannot control them as well as we in the United States do. As a matter of fact, on the Atlantic missile range between Canaveral and Ascension Island, we have been able to have shots that have a target capability circle of probable error that is surprisingly efficient. This means in a circle laid out of 2, 5, or 6 miles in diameter, 50 percent of the shots will land as a probability within that target area. Russia to this date on her long-range ICBM land missile range has had no such shot of the length and CEP, we in the United States have had from Cape Canaveral to Ascension Island. I say that without fear of contradiction.

Also, their missile range is not long enough to give them a landfall at the ranges we now have and are operating on efficiently between Cape Canaveral and Ascension Island. At that equivalent range they would have missile reentry off the Kamchatka Peninsula in the Pacific Ocean. We should not be too disturbed about what Russia currently is doing on her ICBM range, because we are quickly in the United States making our present generation of big vehicles obsolete. They are fast becoming as obsolete as our early airplanes. Our U.S. advances are developing at such a tremendous rate in many fields. We should, therefore, not project the current rate of production of the present generation of U.S. missiles, ICBM or IRBM, into the future of 1962, but we should emphasize research and development and construction of facilities for this research and development, which this bill now does.

So I urge every Member in the House to vote not only for the space program generally, on scientific research but, second, for our security, and third for weather benefits and the gain of $4 billion that might be possible through advanced weather predictions, and last, for this reason, that we in the United States are advancing tremendously on communications satellites. We already have been the only country in the world that has had a communications satellite where we have received voice from a satellite operation. It is a tremendous breakthrough to have done that. We can look ahead and see where they have already recommended that we go into a program of two space satellites that will carry further all the telegraph communications for our Western Hemisphere. The cost of these satellites will be from $100 million to $200 million, and they could be built within 18 months to 2 years. They would have 4 channels of radio and each one of those channels could send 500 digits or items a second. On these communication satellites it would mean the reception or sending of 2,000 digits, words, or signals per second from each of these two satellites. Now the remarkable thing about it is that those satellites would have the power to jam all sorts of radio and radiotelephone or TV communications and possibly radar communications in the area where they are operating. I would not be able to give you the specific area they would cover at the time, but with this jamming capacity, it really puts into further 1,000 percent operation our strategic air force that might be stopped by an enemy radar system. We would have the power to jam opposing radar, television, radio, not only on land where they might be operating tanks or communications, but in the upper atmosphere. In addition the United States would have the power by narrow bands or channeling communications, which would be by line of sight, to give its own message from the satellites wherever we want around the world, and that could not be jammed except within the little circumference or line of sight on the narrow band that was sending it out. You can see what a tremendous possibility that is for the defense of this country.

The General Electric Co., of Philadelphia, has already made a recommendation that we proceed immediately with the development of these two space satellites, and I recommend we should, too.

In conclusion, might I encourage the American people about space. Space is a new place, but it is not a strange place. The scientists and the astronomers have been working on space for generations. The field of space is the one place in the world where all the nations have been cooperating. Russia, the countries behind the Iron Curtain, except Communist China, all the free world countries, practically unanimously, have been working on the International Geophysical Year that ended on December 31, 1958. Likewise, on the scientific level, there is still cooperation, and many of our current U.S. programs in some respects are part of the International Geophysical Year.

Many of the scientists before our committee have stated that they could not say that Russia and her satellites had not cooperated with the United States and the free world scientists on exchanging information during the International Geophysical Year, and they could not say that there was complaint about Russian cooperation on the work that we had done together. Now, that could be a new light in the world, a new era, if such cooperation could be expanded and continued. It may be that the solvent of science and education will help settle many of the ideological differences that we have in the world today.

If we can find areas such as science and space where we can work together I believe there is hope for the future of the world and possibly the freedom we all hope for and progress will come not too long after.

I recommend the passage of the legislation.

Mr. BROOKS of Louisiana. Mr. Chairman, I yield 5 minutes to the gentlewoman from Georgia [Mrs. BLITCH].

Mrs. BLITCH. Mr. Chairman, Mr. Vance Trimble and the Scripps-Howard papers for which he writes, have inflicted an insult upon the intelligence and the integrity of the Honorable Wellie K. Peagler, the mayor of my hometown, and that of all my friends and neighbors, the genteel people who make up its population. By so doing he has personally insulted me. For the purpose of making a cheap headline this fraudulent exponent of the fine institution of journalism and this tear sheet whose publishers suck the blood of the unsuspecting public to make its tainted dollars, printed a slanted story that was

deviously arrived at by artful misrepresentation.

Had this been done to people of less refined instincts than those I am proud to have lived among in daily association for the better part of my life, irreparable damage might have been done to friendships of lifelong standing. The people I know and love, who have done everything on earth they could to help me be of some value to my fellow man through service in State and National Government, recognized the shallow story for exactly what it was—an exercise in yellow journalism.

Mr. Chairman, because of my deep respect for the dignity of Congress, the press, and the American public, I would have preferred to let the distasteful exhibitionism of Mr. Trimble die a natural death as it deserves to do. Unfortunately, his appetite for vulgar sensationalism has not yet abated and for that reason I am compelled to make this statement.

I was at home in Georgia when he wrote the story. Since then, Mr. Trimble has had the unmitigated gall to attempt to interview me again. I refuse outright to speak with this so-called member of the press until he has publicly apologized in print to my hometown and to me. Since I doubt seriously that he has the manhood to make such an apology I do not expect to see him again. He is not welcome in my office and should he insist upon coming there, I shall not hesitate to take proper action to have him removed.

Mr. Chairman, I have no quarrel with the publication of the fact that I rent office space to the Government of the United States for $100 per month, although I pity the poverty of ideas of the writer who originally wrote the story which was carried on page 1 of the Washington Post. However, the American people should take note of the fact that they are indebted to the House of Representatives, itself, for the information. Years ago this body made it possible not only for the members of the press, but for any citizen of the United States, to inspect the records of expenditures of each individual Member.

As a Member of the Congress, I am far more careful with the expenditure of public funds than I am with my own. When I arrived in Congress in January 1955, the Members were allowed only one official office in their districts. They were entitled to $900 per year for office rent or space in a Federal building if such was available.

My congressional district in Georgia is composed of 20 counties and is the largest in geographical area in the State. Waycross, Ga., is the most centrally located town in my district and is 27 miles from my hometown of Homerville. To give the approximately 300,000 people I represent the service they are entitled to, I decided to establish an office there. There was no available space in the Post Office Building in Waycross. I tried for several months to find suitable office space for $75 per month—the sum I was allowed. I could not find it. One small room I might have had, but no more.

My constituents rarely call one at a time. Often several delegations visit me at the same time. Each person considers his or her business private, and I respect that privacy. For that reason alone, a Member of Congress should always have at least two rooms for a business office.

In desperation I asked the judge of the Federal district court if I might have the use of his chambers in the Post Office Building. He graciously granted my request and so this space became my principal district office. The judge's chambers are lovely and the Government was saved $900 per year. However, when a session of court is held, my files are moved into other quarters temporarily and my staff and I are in the halls or other places in the building. None of us has ever particularly minded this for any reason other than the inconvenience it causes my constituents, and court sessions seldom last more than a week at the time.

For many years before coming to Congress, I was a member of the State legislature and Democratic National Committeewoman. For this reason it became imperative that I have office space at home. At considerable expense, my husband and I remodeled our house to provide for this.

One office was never enough for my district, and I continued to maintain this second office after I was elected to Congress. During the 7 months that Congress is in session activity is light in both district offices. It is necessarily concentrated in the Washington office. But, when we adjourn, and I go home, most of my staff go with me. There are one, two, or three people in each district office at all times, and the Washington office is also left open. I spend my time in all three of them during these months and in traveling back and forth over the district making speeches and learning as much as possible the continuing needs of the people.

On August 1, 1957, the Congress took official recognition of the need of two congressional district offices and made $100 per month available for this purpose. Whether or not this action had been taken I would have continued to use the facilities of my home for the benefit of the grand people I represent. Nevertheless, I do not hesitate to express my gratitude for the compensation. When I came to Congress I had a few thousand dollars of my own and I owed not a cent in the world. Now I am in debt by several thousands of dollars. Fortunately, my husband and I own some property and my creditors are safe, although I have spent many sleepless nights worrying about the accumulation of debts, and I would state this unequivocally. Regardless of the expense and many other personal sacrifices, I am proud and grateful of the opportunity of representing the people of the Eighth Congressional District of Georgia in the Congress of the United States, and I shall continue to represent them here so long as they and the gentle hand of providence provide the opportunity.

Mr. Chairman, the discreditable story of Mr. Trimble did me no harm among the people of the Eighth Congressional District of Georgia. I received only one letter from one constituent, and that letter was to praise me for saving the Government $900 a year. Although the national press and television carried the story, not a single daily or weekly paper published in Georgia's Eighth District carried his version of the story. Only one paper carried the straight story of the rental.

The type story Mr. Trimble wrote inspires the pathologically sick to take their pens or pencils in hand. I received approximately 40 letters and postcards from the Northeastern States lambasting me in various types of language, but most of these lacked the courage to sign their names. There were a few who, of course, were honestly indignant. Since they do not know me personally, I can understand.

These letters are living proof of the disservice Mr. Trimble has performed for his profession and for the American people.

In conclusion, Mr. Chairman, I would say, "Long live the freedom of the American press." And I want to assure the Members of this body that my strong belief in this freedom is not one whit deterred by the disgrace that one member of the fourth estate has brought upon that basic institution of our American way of life.

Mr. BROOKS of Louisiana. Mr. Chairman, I have no further requests for time.

Mr. FULTON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) there is hereby authorized to be appropriated to the National Aeronautics and Space Administration for the fiscal year 1959 the sum of $48,354,000 as follows:

(1) For an additional amount for "Salaries and expenses", $3,354,000.

(2) For an additional amount for "Research and development", $20,750,000.

(3) For an additional amount for "Construction and equipment", $24,250,000 as follows:

(A) Jet Propulsion Laboratory, Pasadena, California: New facilities, improvements to existing facilities, and approximately seventy acres of land, $9,000,000; and

(B) Various locations: Global range tracking and communication facilities and equipment, and propulsion development facilities, $15,250,000.

(b) Authorization is hereby granted whereby either the amount prescribed in subparagraph (A) or the amount prescribed in subparagraph (B) of subsection (a) (3) may, in the discretion of the Administrator of the National Aeronautics and Space Administrator, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such subparagraphs shall not exceed a total of $24,250,000.

SEC. 2. Any amount, not to exceed $500,000, of the funds appropriated pursuant to authorization of subsection (a) (3) of the first section for the construction of facilities described under such subsection may, with the approval of the Bureau of the Budget, be used for the construction of new research facilities or for the modification of existing

research facilities not specifically authorized in this Act, if such construction or modification is deemed by the Administrator of the National Aeronautics and Space Administration to be of greater urgency than the construction of any facility authorized by this Act; but no such funds shall be used for the construction or modification of any facility if funds for such construction or modification have been previously denied by the Congress.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 3, line 2, following the word "act" change the semicolon to a colon, strike the balance of line 2 and all of lines 3, 4, and 5 and add the following: "*Provided*, That upon reaching a final decision to implement, the Administrator or his designee shall notify the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate, of the cost of such construction of new research facilities or the modification of existing research facilities: *Provided further*, That no such funds shall be used for the construction or modification of any facility if funds for such construction or modification have been previously denied by the Congress."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. COFFIN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes, pursuant to House Resolution 240, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

## CALL OF THE HOUSE

Mr. ALLEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, no quorum is present.

Mr. BOLLING. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 26]

| | | |
|---|---|---|
| Andersen, Minn. | Boykin | Davis, Tenn. |
| Ashley | Brewster | Dent |
| Barden | Buckley | Dorn, N.Y. |
| Blatnik | Carnahan | Fallon |
| Bowles | Celler | Flynn |
| | Cooley | Frelinghuysen |
| Friedel | Metcalf | Shelley |
| Garmatz | Miller, George P. | Smith, Miss. |
| Hargis | Moulder | Spence |
| Harris | Nix | Springer |
| Holifield | Norblad | Steed |
| Holland | Perkins | Stratton |
| Huddleston | Philbin | Stubblefield |
| Jackson | Polk | Teller |
| Johnson, Colo. | Powell | Tollefson |
| McMillan | Rostenkowski | Walter |
| Macdonald | St. George | Whitten |
| Magnuson | Santangelo | Williams |
| Merrow | | Willis |

The SPEAKER. On this rollcall 371 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## MODIFYING REORGANIZATION PLAN NO. 2 of 1939 AND REORGANIZATION PLAN NO. 2 OF 1953

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 236 and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1321) to amend Reorganization Plan Numbered 2 of 1953. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 236 makes in order the consideration of H.R. 1321, to amend the Reorganization Plan No. 2 of 1953. This resolution provides for an open rule and 2 hours of debate.

The purposes of H.R. 1321 are, first, to restore to the Administrator of the Rural Electrification Administration the authority to approve or disapprove loans, without the supervision or direction of, or any other control by, the Secretary of Agriculture, under the Rural Electrification Act of 1936, as amended; and second, to reestablish in the Rural Electrification Administration, as a matter of law, the functions vested in that agency by the 1936 act. Except for the approval or disapproval of loans, the Rural Electrification Administration will remain under the general supervision and direction of the Secretary of Agriculture. His power to redistribute its functions among other agencies of the Department will, however, be eliminated.

The Rural Electrification Administration was created by Executive Order 7037 of May 11, 1935. Statutory provision for the agency was made in the Rural Electrification Act of May 20, 1936, which authorized loans for facilities to bring central station electric service to rural people who did not have it.

REA became a part of the Department of Agriculture under Reorganization Plan No. 2, effective July 1, 1939. Under Reorganization Plan No. 2 of 1953 there were transferred to the Secretary of Agriculture the functions of the Administrator of REA and the power was given the Secretary to delegate these functions as he deemed appropriate. The 1939 plan transferred the REA along with its functions to the Department of Agriculture but provided it should retain its identity as a separate unit within the Department under the general direction and supervision of the Secretary. The plan of 1953, on the other hand, clearly transferred the functions of the REA to the Secretary and gave him the power to exercise these functions, himself, or to delegate them to any officer in the Department.

In 1954 the Secretary did, in fact, assign these functions to the Administrator of Rural Electrification Administration but with the reservation that such delegation of authority is subject to withdrawal or amendment at any time.

Subsequently, the Secretary issued an unwritten order to the Administrator of the REA to submit for review by the Director of Agricultural Credit Services all loans over $500,000 prior to their approval by the Administrator. Later this figure was changed to $1 million.

Under H.R. 1321, any functions transferred to the Department or the Secretary by the 1939 or 1953 plan will be put back in the Administrator of REA, and the Administrator shall carry out these functions within the Department of Agriculture under the general direction and supervision of the Secretary. Thus the REA will remain intact within the Department and its functions may not be distributed to other officers or units elsewhere in the Department. The functions relating to the approval or disapproval of loans, however, will not be subject to the supervision or direction or to any other control by the Secretary of Agriculture.

I urge the adoption of this resolution.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Indiana.

Mr. HALLECK. Did I understand the gentleman to make some reference to the effect of the Reorganization Order of 1939 insofar as the power of the Secretary was concerned over the making of loans?

Mr. BOLLING. My understanding is that in the 1939 reorganization, there was a covering-in of the agency; but that it was the 1953 reorganization that gave the Secretary of Agriculture the power of supervision and in fact final decision over the loans.

Mr. HALLECK. I am afraid the gentleman is in error if the report is correct because on page 2 of the Senate report we find this paragraph:

In addition, Reorganization Plan No. 2 of 1939, which originally transferred the Rural Electrification Administration to the Department of Agriculture, provided that it should be administered by the Administrator under the general direction and supervision of the Secretary of Agriculture.

The courts have held that this authority includes the power of approving or rejecting REA loans. So certainly it is clear to me from the report that with the reorganization order of 1939—that was a long time before this present administration took office—the power was then vested in the Secretary of Agriculture either to approve or reject the proposed loan, and we have operated under that sort of provision ever since 1939.

Mr. BOLLING. Unless I am in error, and I doubt that I am, although I am not familiar with the court decision, the fact remains that not until some considerably later date, after the order I mentioned by the Secretary bringing the review up to the person designated by him, were the loans passed on by any other person than the Administrator of the REA.

My understanding of the Reorganization Act of 1939 was that it was intended to give REA a home. Regardless of what the courts have had to say, the fact remains, as I understand it, that there has never been any supervision by the Secretary of Agriculture over the granting of loans until a date some time after 1954.

Mr. HALLECK. That well may be, but I am not going to challenge the validity or the correctness of the report of this committee. I assume it was gotten up with care by experts who knew what they were talking about. If I can read the English language, it says very clearly that after the reorganization order of 1939 "general direction and supervision" was vested in the Secretary of Agriculture and that gave him the authority of approving or rejecting REA loans. So I insist that on the words of the report itself in this order that they name, that power was vested in the Secretary of Agriculture and it has remained there ever since.

Mr. BOLLING. I will say to the gentleman, finally, that this may be the way one construes the language of the report if one so desires, but in the testimony before the Rules Committee I did not gather that anybody construed the report that way.

Mr. ALLEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I do not have any misgivings about this bill. I am certain that I need not mention that I think all of us are very much aware of the real objective and the real purpose of this bill. But I regret that this bill has been brought here with such haste. It came before the Rules Committee yesterday about 4 o'clock. There were no printed hearings, but my good friend from Illinois, the chairman of the Committee on Government Operations, was kind enough to give me a proof copy of it. Then this controversial bill comes in here today without any printed hearings for the benefit of the member.

What is the present situation of the bill now before us? Back in 1939 the Reorganization Act gave the Secretary of Agriculture full authority in regard to REA. It gave him the right, the authority, to deny or approve loans. That was the situation then and that is the situation now.



Today we have before us a bill that still will give the Secretary of Agriculture the authority over every phase in the REA except the right to approve or deny loans, which is the most important function of the REA. Now REA means rural electrification. I think it rightfully belongs in the agency of the Secretary of Agriculture. I know that you, Mr. Speaker, would not want to be charged with the full responsibility of administering an agency and then having some subordinate have the authority when it comes to the main function of that agency. I do not think you or I could administer anything under those conditions. It would be parallel to the situation of having our people send us to the Congress and saying, "Now, we think you are a good man. You go down and do this leg work in the departments, but when it comes to the real thing—when it comes to the real thing that counts, and that is voting—you will give that right to your administrative assistant. Let him, your subordinate, perform the important function."

So I say that we cannot and should not saddle the Department, the Secretary of Agriculture, with full authority and responsibility and then take the most important function away from him.

I would like to read the statement of Mr. David Hamil who is the Administrator of the REA. He appeared before the Committee on Government Operations on March 9. Listen to this. This is the subordinate, the one in whom this Congress by this bill now proposes to put in authority in regard to the approval or denial of loans. This is what he said before the committee of the gentleman from Illinois [Mr. DAWSON], on March 9, 1959, when this bill was being considered:

Mr. HAMIL. I have a few brief observations on these matters which are before you.

Secretary Benson has made no change in the organization, authorities, functions, or policies of REA.

The informal procedure whereby proposed supplemental loans in excess of one-half million dollars—now $1 million—and proposed loans to new borrowers are discussed with Mr. Kenneth L. Scott, Director of Agricultural Credit Services, has not resulted in the rejection of a single loan or in any appreciable delay.

In not a single instance has Secretary Benson or Director Scott interfered in the discharge of my responsibilities as Administrator of REA. I make the loans.

For your information, Mr. Chairman, in my absence from the office my very able Deputy, Ralph J. Foreman, who is in the room here, is in charge of REA. On those occasions, he makes the loans. If he and I are both absent, we have three Assistant Administrators who act in that capacity, Roy G. Zook, Robert T. Beall, and Norman McFarlin.

I also have in the room Mr. Charles Samenow, whose title in REA is legislative consultant, and who on many occasions has acted as Administrator and made loans.

While I have been Administrator, not one loan application which met the requirements of the Rural Electrification Act has been rejected. Not one of my loan decisions has been motivated or colored by political considerations.

It is my own considered opinion that REA has prospered in its 20 years in the Department of Agriculture. It is doing well now. The counsel and experience of Secretary Benson and Director Scott have helped me in discharging my duties. I see no need or reason for change. I support fully the position of the Department.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield.

Mr. HALLECK. I do not want to belabor the proposition, but I think it ought to be thoroughly understood that this legislation which is presently before us seeks to undo in part the effect of the reorganization order of 1939 and not the effect of the reorganization order of 1953. I well recall the great struggle we had here to write the first Reorganization Act, and believe me, it was a bitter struggle. But, the very thing that was sought to be accomplished here by that Reorganization Act has been accomplished in this particular instance. Here was an operation involving the farmer, necessarily a part of the overall operation of the Department of Agriculture. The President in 1939 sent this order, vesting in the Secretary of Agriculture, the authority over the Administration, including the power to approve or reject loans. That is the very thing that has been in effect for 20 years, which this legislation now seeks to change.

Mr. ALLEN. I thank the gentleman from Indiana.

Now, Mr. Speaker, the gentleman from Missouri [Mr. BOLLING] said the issue was interference in the Department by the Secretary of Agriculture. He did not say what interference. I have just read the statement of the Administrator, Mr. Hamil, to whom this bill would turn over the denial or approval of the loan. He does not say there is any interference.

I yield now to anyone who will say that the Secretary of Agriculture, Mr. Benson, when the Administrator, Mr. Hamil, approved a loan, ever overrode him by disapproving it.

Mr. DENTON. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield to the gentleman from Indiana.

Mr. DENTON. The order of 1957 provided no loans over a half million dollars could be approved by the Administrator of REA unless also approved by the Secretary of Agriculture. The REA had been very successful in Indiana. The REA's in Indiana buy their electricity from private utilities. About 3 years ago one utility obtained a very unreasonable rate. The more electricity you used the more you had to pay. I think 250 kilowatts was the breaking point. Below that the rate was less; above, it was more. That order has since been changed, but the rate increase is still high. The REA came out and tried to talk to the utilities company and get a reasonable rate. They would not do so. The only thing they could do was to build a powerplant. They undertook to build a powerplant at Petersburg, Ind. They made application for a $42 million loan. The Public Service Commission of Indiana is supposed to pass on the loans, construction of plants, and transportation facilities of the REA's in a judicial capacity. Nevertheless the Governor of Indiana sent the public service commission down to Washington to work against the passage

of this enactment. That was the issue in the last campaign, and the people spoke very emphatically about it. They talked to Mr. Benson, and I know Mr. Hamil was there. He was very put out to have them interfere politically with his decision on this loan. But in any event a White House meeting was called thereafter. Sherman Adams presided. I do not know what took place, but after that this informal order of 1957 providing for approval of REA loans over $500,000 by the Secretary of Agriculture was issued. During all the time prior to that the Administrator thought he passed on the loans. That order was issued, and of course this loan has laid dormant ever since.

Mr. ALLEN. I believe the original author of this bill of the other body has said that to his knowledge he does not know of one instance where the Secretary of Agriculture had disapproved a loan that the Administrator had approved.

Mr. DENTON. Yet this order was issued after the White House meeting and I know that loan has lain dormant ever since. It would have put people to work in the coalfields and other industries.

Mr. ALLEN. Mr. Speaker, I cannot yield further to the gentleman.

Mr. Speaker, I think the REA has done a splendid job; and I believe it has been clearly demonstrated that Mr. Hamil wants the situation to remain the way it is, that he is satisfied, that he does not want that authority to make loans—I think the passage of this bill would be an insult to the American people and to the splendid way the program has advanced thus far and so rapidly in the past few years; so, Mr. Speaker, I hope this bill is defeated.

Mr. Speaker, I yield such time as he may require to the gentleman from Ohio [Mr. McCULLOCH].

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, minority members of the Select Committee on Small Business are this afternoon introducing legislation to amend the Renegotiation Act.

Mr. Speaker, it will be recalled that one of the final actions of the 85th Congress was to extend the Renegotiation Act of 1951, as amended, for an additional 6 months—from its prior expiration date of December 31, 1958, to June 30, 1959—Public Law 85-930, 85th Congress, 2d session.

This action followed a 1-day hearing near the close of the session. The report of the Committee on Ways and Means states that the 6-month extension was decided upon in order to give the Congress a greater opportunity to study proposals either for further amendments to the act or to allow it to terminate. The Ways and Means Committee has announced that it will hold hearings beginning on Monday, April 27, 1959, at which time a more thorough exploration of the subject of contract renegotiation will be undertaken.

SMALL BUSINESS PROPOSALS

The day prior to the 1958 hearing members of the Select Committee on Small Business introduced legislation designed to correct "small business handicaps under the Renegotiation Act of 1951, as amended." This was a bipartisan and nonpartisan effort to secure consideration for some of the most troublesome small business problems now imbedded in the Renegotiation Act. The introductory remarks which we made last July summarized the purposes of our bill and were made a part of the record of the Ways and Means Committee during the hearings on extension of the act—hearings July 29, 1958, page 14, and those that follow.

It is my hope and understanding that we shall have similar support for small-business renegotiation amendments in the 86th Congress.

The Republican members of the Select Committee on Small Business are today introducing identical bills to amend the Renegotiation Act of 1951, in the interest of small business. These members are Mr. MOORE, of West Virginia; Mr. AVERY, of Kansas; Mr. SMITH, of California; Mr. ROBISON, of New York; Mr. QUIE, of Minnesota; and myself.

We are taking this action today in view of the announcement of the Committee on Ways and Means of the House of Representatives that public hearings on the Renegotiation Act of 1951, as amended, will begin on April 27, 1959, in Washington, D.C.

SMALL BUSINESS SKILLS VITAL TO NATIONAL DEFENSE

World War II and the growth of the aircraft industry punctuates the fact that small concerns which are possessed of technical skills and inventiveness are a strong arm of our national defense. We need to keep this large group of small defense contractors in business, and with due consideration for managerial skills, to keep them in a position where the opportunity for profit is present. We are not in favor of subsidies and we know from long experience that small business concerns do not want subsidies either for themselves or their competitors. They want a fair and equal opportunity under the law to do business in a businesslike way and to reap the benefits of their own ingenuity and skill. We believe the present operation of the Renegotiation Act of 1951, as amended, is a deterrent in many respects to capable small and independent concerns which would participate in our national defense programs.

The Congress of the United States has had a longstanding policy of assuring small and independent concerns a fair share of contract awards for goods and services which are made by the various departments and agencies of the Federal Government, and including national defense contracts.

We are entering a new era in preparing and augmenting our national defense which we refer to generally as the space age. The demands of the space age for increased skills and technical knowledge is recognized by all. We do not believe that a few large concerns can do the complete job. We are convinced that the small concerns who contributed so much to the building of the aircraft industry must be provided with the opportunity and the incentive to keep pace with the tremendous responsibility we all have in keeping America out in front in science and technology.

We feel that our bill is a contribution to that end.

DEPARTMENT OF DEFENSE OPPOSITION TESTIMONY, 1958

The purposes of the bills and the needs of small business as recited by the members of the Small Business Committee last year are as valid today as when the bills were introduced. Opposition was voiced, however, both by Mr. Robert Dechert, general counsel of the Department of Defense, representing that Department, and by the Renegotiation Board, represented by its Chairman, Mr. Thomas Coggeshall. The criticisms made by Messrs. Dechert and Coggeshall deserve consideration and they are in part responsible for the changes in the proposed small business amendments now offered. The purposes remain the same. We believe improved legislative language has been developed to overcome that portion of past criticism which appears to have merit.

In amending the Renegotiation Act of 1951 our bill proposes to provide certain definite assistance to a large number of small but strategic concerns engaged in work pertaining to the national defense. We propose through the enactment of our amendments, first, to encourage subcontracting in Government procurement to provide incentives for small and independent business concerns; second, to encourage prime contractors and subcontractors to subcontract the maximum proportion of their contracts and subcontracts to provide the proper profit motives for small and independent business concerns as the cornerstone of our free enterprise system; and third, to expand the Government procurement base by providing incentives and encouragement to small and independent business concerns.

In adopting the amendments we propose that the Congress reaffirm its longstanding policy of assuring to small and independent business concerns a more substantial proportion of the contract awards by the Federal Government.

ENCOURAGEMENT OF SUBCONTRACTING

Section 2 of our bill is designed to encourage large prime contractors to attain the maximum in subcontracting to smaller concerns. It reads:

SEC. 2. Section 103(e) of the Renegotiation Act of 1951, as amended (setting forth factors to be taken into account in determining whether profits are excessive), is amended by adding at the end thereof the following:

"In determining excessive profits, favorable recognition must be given to economies achieved through contracting with small business concerns (as defined pursuant to section 3 of the Small Business Act); and a contratcor or subcontractor who achieves economies through the programs of the Department of Defense, the Small Business Administration, or any other agency of the Government, to increase the share of such small business concerns in procurement,

shall, subject to other considerations set forth in this subsection, be provided incentive awards through proportionately higher profit alowances."

This proposal is identical to the proposal of last year except that it is also made applicable to agencies other than the Department of Defense—such as the National Aeronautics and Space Agency—whose procurement programs are also subject to the act.

A NECESSARY AMENDMENT

Last year Mr. Coggeshall objected to the foregoing proposed amendment claiming it to be unnecessary because the Renegotiation Board has now revised its own regulations to include section 1460.14(b)(3), which reads as follows:

(i) Defense production needs and the policy of Congress require that subcontracting, particularly to small business concerns, be used to the maximum extent practicable. Although a contractor who subcontracts work may not reasonably expect to be allowed as large a profit thereon as if it had done the work itself, subcontracting of the kind described in this subparagraph, especially the extent to which subcontracts are placed with small business concerns, will be given favorable consideration in the renegotiation of the contractor.

(ii) A contractor will be given favorable treatment when, by subcontracting, it utilizes in the defense effort facilities and services, particularly of small business concerns, which might otherwise have been overlooked or passed by; when it has demonstrated efficiency and ingenuity in finding appropriate opportunities for subcontracting; when the amount of subcontracting so accomplished is substantial; when the amount or complexity of technical, engineering, and other assistance rendered by the contractor to the subcontractor is substantial; and when the price negotiated with the subcontractor is reasonable in view of the components produced.

The Board is to be complimented on having added this provision to its regulations, a substantial improvement, and if it were not for the phrase in the above regulation reading "may not reasonably expect to be allowed as large a profit thereon," we might agree that our proposed amendment to the Renegotiation Act is not needed. We feel, however, that the amendment we propose contains a very important shift of emphasis which is required for guidance of the Board and for incentive to industry. Our amendment indicates that a proportionately higher profit allowance should be given as a reward to a contractor who achieves economies through a small business subcontracting program. We believe it is the desire of the Congress to make clear that a contractor who saves on total cost to the Government by effecting economical subcontracts with small business should not suffer even a little penalty, as the wording of the Board's regulation implies, but rather should be rewarded by sharing in the savings effected. This can only be accomplished by recognition that a proportionately higher profit allowance such as we propose is a more likely inducement than the prospect of a reduced penalty which is all that may be now inferred in reading the Board's present policy as quoted above.

MINIMUM AMOUNTS SUBJECT TO RENEGOTIATION AND EXEMPTION OF CERTAIN TYPE CONTRACTS

In respect to our proposal to increase the minimum dollar amount subject to renegotiation and certain contract exemptions, our bill proposes that:

SEC. 3. (a) Section 105(f)(1) of the Renegotiation Act of 1951, as amended (setting forth minimum amounts subject to renegotiation), is amended (1) by inserting ", or $5,000,000, in the case of a fiscal year ending after June 30, 1959" immediately after "1956" each place it appears; and (2) by adding at the end thereof the following: "For the purpose of determining, pursuant to the first sentence of this paragraph, whether or not the receipts or accruals from such contracts and subcontracts shall be renegotiated for any fiscal year, there shall be excluded amounts received or accrued from—

"(A) any fixed price of incentive-type contract or subcontract if such contract or subcontract, by its terms, is subject to price redetermination or price revision; and

"(B) any contract or subcontract awarded at a fixed price to the lowest acceptable bidder as a result of competitive bidding in which three or more responsive and competitive bidders have taken part."

(b) Section 105(f)(3) of the Renegotiation Act of 1951, as amended (relating to determination of amounts subject to renegotiation), is amended (1) by inserting ", the $5,000,000 amount" immediately after "the $1,000,000 amount" in the second sentence; and (2) by striking out "$1,000,000" each place it appears in the last sentence and inserting in lieu thereof "$5,000,000".

MINIMUM AMOUNT SUBJECT TO RENEGOTIATION

In our statement of July 1958 we said that "the 1956 amendments to the Renegotiation Act, in part, were of some benefit to smaller manufacturers, since the act was amended by increasing the minimum amount subject to renegotiation from $500,000 to $1 million", and this "probably should now be increased to $5 million, since rising labor and material costs have somewhat nullified the beneficial effects of the million-dollar exemption"—hearings, page 14, Ways and Means Committee, July 29, 1958.

We further stated that:

We are of the opinion that the only value of renegotiation will be found in its application to the hundred or so largest military contractors who traditionally serve as sole source—noncompetitive—suppliers on complex items of defense material. For all other companies where competition is present, renegotiation serves little purpose other than to increase the burdens of accounting and administration. An examination of the records of the Renegotiation Board would reflect that the bulk of the dollars recaptured come from the top 100 defense contracting firms and that only meager sums are recovered from the smaller defense contractors. For this reason we think the country would be better off if the minimum amount were raised as high as $5 million. At the same time, we would not press for such an amendment because there is not sufficient time to gather the detailed evidence necessary to prove the point. Therefore, it has not been included in our bill.

Data from the Board's records can assuredly be secured for consideration during this session of the Congress and the breakdown of total recoveries from firms doing less than $5 million of defense work annually can be secured to back up the contention that these account for a minor portion of recoveries. It will be obvious that the extent of paperwork and special recordkeeping bears most heavily on firms in the under $5 million category.

UNDER $5 MILLION MEANS SMALL BUSINESS

Businessmen have stated that it is a "fact of life" in manufacturing that a company must have total sales at a minimum level of $10,000 to $12,000 per employee in order to survive. Hence, it is possible that a company with 100 employees must make total sales of about $1,200,000 or find itself in the red. Conversely, a company with more than 500 employees must have sales of around $6 million, or more. Thus, the exemption of $5 million for companies engaged in defense work will apply almost exclusively to small businesses. A few large companies, of course, would be among those who are primarily manufacturers of commercial products, firms whose defense sales are a secondary and minor part of their total activity. It will be observed, however, that sales at such levels will be outside the realm of the "sole source—noncompetitive—suppliers of complex items" mentioned in our statement last year. Whenever a large firm's participation in defense work is at a level below $5 million it will almost always be in the area of supply and support items—blankets, clothing, detergents, typewriters, and so forth—where contracts are awarded by competitive bid and competitive restraints provide ample protection against excessive profit.

EXEMPTION OF CERTAIN TYPES OF CONTRACTS

Referring back to section 3 of our bill covering "minimum amounts" and "contract exemptions," we recognize that the chief criticism directed against our bill—H.R. 13561 and those that follow, 85th Congress, 2d session—arose from the proposal to fully exempt certain types of contracts in the manner then proposed. Specifically, the language of the 1958 proposal read:

(10) Any fixed price or incentive type contract or subcontract, except at the option of the contractor or subcontractor, if such contract or subcontract, by its terms, is subject to price redetermination or price revision; or

(11) Any contract or subcontract which has been the subject of competitive bidding, except at the option of the contractor or subcontractor, if such contract has been awarded to the low bidder among three or more responsive and competitive bidders.

In stating opposition to this proposal to the Members of the Committee on Ways and Means, Mr. Dechert of the Defense Department made two observations. He said:

If a contractor or subcontractor takes a small profit or a loss on a contract or subcontract, he may elect, for purposes of setoff, to submit the contract or subcontract to the renegotiation process along with his other renegotiable business. * * * On the other hand, if the profits of a particular contract or subcontract are large, he may elect to exempt that contract or subcontract from renegotiation. Such a provision does not appear desirable.

Since this option to include or exclude would have applied to all contracts of the types noted for the largest as well as the smallest defense contractors, we have concluded that it might have placed

some of the larger firms in a heads-I-win-tails-you-lose position—particularly, in one of those rare occasions where an attractive profit did arise from one of the types of contracts listed. That an excessive profit could arise in such a contract held by a small company seems next to impossible—first, because the total amount of the contract would necessarily be small; second, because the restraint of competitive bidding would preclude it in contracts awarded by such means; and finally, because the procedures of price redetermination would effectively trim any prospective excess profit out of the remaining contracts covered by this proposal.

It would be equally unfair, however, to attempt to correct this potential deficiency in the amendment proposal merely by eliminating the contractor option, that is, by making the exclusions of such contracts mandatory. To do so would be to remove from the weighing process of renegotiation any consideration of those contracts which are most likely to result in skimpy profits or perhaps losses. It would violate the principles of the act which permit, as we have noted, "a contractor's total business to be weighed in the balance, rather than merely to recover excess profits on successful contracts and ignore others."

Both Mr. Dechert and Mr. Coggeshall took note of this need. As Mr. Dechert indicated:

> The renegotiation process applies, and properly so, to all contracts across the board.

And during his part in the hearing, Mr. Coggeshall stated:

> I believe very strongly that if you are to have renegotiation, it is only fair to the contractor that you look at the results of the defense dollar, rather than just a particular contract. If we go back to the history, the very first act in 1942 just provided for renegotiation contract by contract, and it ended up that there was a great holler, because in the contracts in which they found excessive profits there was no offset of those which had low profits or losses.

AN EQUITABLE SOLUTION BY THE REVISION OF SECTION 3 OF OUR PRESENT PROPOSALS

In place of an optional exclusion of price redeterminable or competitively awarded fixed-price contracts—or a substitute mandatory exclusion—both circumstances which appear to have some defects, our study over the past year has led us to a substitute proposal the benefits of which will be confined almost exclusively to small business.

The essence of the proposal is this: Since price redeterminable contracts and other fixed-price contracts awarded as the result of competitive bidding are automatically subject to restraints which assure against excessive profits to small business, we propose that the receipts from such contracts be excluded only in determining whether a contractor shall be subject to renegotiation. However, if the combined receipts from other types of contracts—sole-source fixed price, cost-reimbursable, and so forth—on which excessive profits are more likely to arise exceed the proposed new minimum amount, then the contractor will be subject to renegotiation and the process will, as heretofore, be applied "across the board."

This proposal would in no way affect any of the larger defense contractors. They would have to do all but $5 million of their total defense business in the specific low-profit forms of contract delineated in order to gain exemption from the act—a near impossibility, but a blessing to the public purse if it should come about. In fact, for the middle-size companies, those firms doing perhaps $15 to $20 million per year in defense contracts, this proposal would create a very strong incentive to seek the low-profit forms of contract in an effort to gain possible exemption. We can only conclude that the result would produce a true economy in the defense effort while, at the time, removing an excessive burden from thousands of small firms who seldom engage in contracting except in these low-profit forms.

See exact language of our new proposal above as part of section 3.

For example, for a company to determine whether it will be subject to renegotiation after this proposed amendment, it will add its recipients and accruals from all other types of contracts—negotiated-firm-fixed-price, cost-reimbursable, fixed-fee or target-fee, and so forth—and if such receipts and accruals exceed the minimum amount, then the company will be subject to renegotiation on its entire business, including the types of contracts in (A) and (B), above.

BENEFITS OF OUR AMENDMENTS TO SMALL BUSINESS

First. Nearly all small businesses will be excluded from the direct effects of renegotiation.

Second. Small- and medium-size businesses will have strong incentive to seek the types of contracts which have built-in restraints against excessive profits.

Third. Excessive and burdensome recordkeeping will be eliminated for thousands of small companies.

Fourth. The uncertainties of waiting 2, 3, or more years for final action on renegotiation will be eliminated for the small firms least able to cope with this problem.

Fifth. Since the total caseload of the Renegotiation Board will automatically be reduced, fairer and faster action may be anticipated by the remaining large companies who will continue to be subject to the act.

COMMERCIAL ARTICLE EXEMPTION—SECTION 4

It is felt that the proposal contained in our bills in the 85th Congress—H.R. 13561 and its companion bills of 1958—was a fair and necessary proposal and that the same amendment should be offered at this time. The requirements of the present act are grossly unfair to small firms whose products compete directly with commercial type items of other firms but whose markets—because of location or sales pattern—are directed primarily to defense users.

A typical example is that of a fastener manufacturer who competes directly with the products of all other fastener manufacturers in the country. His prices are dependent upon the prices charged by his competitors for their own wares. This is true even though the design and shape of a specific fastener may vary to a noticeable degree from a competitively offered product. This means that the buyer will weigh both price and prospective merits of the separate products of different sources of supply.

Yet the large competitor—with national distribution—is automatically exempted from the act because he is able to show that more than 35 percent of the sales of this item are to nondefense users. While the smaller firm, whose effort is concentrated in meeting defense needs, remains subject to the act because he does not have ability to develop nondefense markets through a program of national advertising and distribution and because he cannot show 35 percent of nondefense sales as to each separate article.

It is difficult to believe that Board objection to this proposal can be regarded as anything more than a self-perpetuating interest in maintaining domination over an area of business in which little, if any, recovery of so-called excess profits can be demonstrated.

MANDATORY EXEMPTIONS FOR STANDARD COMMERCIAL ARTICLES AND SERVICES

The language of the proposed amendment, which is the same as last year's proposals, is as follows:

> SEC. 4. Section 106(e)(4)(B) of the Renegotiation Act of 1951, as amended (relating to mandatory exemption for standard commercial articles and services), is amended to read as follows:
>
> "(B) the term 'standard commercial article' means, with respect to any fiscal year, an article—
>
> "(i) which either is customarily maintained in stock by the contractor or subcontractor or is offered for sale in accordance with a price schedule regularly maintained by the contractor or subcontractor, and
>
> "(ii) which two or more competitors can be shown to maintain in stock, or which is substantially similar to articles which two or more competitors offer for sale in accordance with regularly established price lists;."

SUPPLEMENTARY COMMENT ON DEPARTMENT OF DEFENSE COMMENTARY WAYS AND MEANS HEARINGS, JULY 29, 1958

With respect to the proposed exclusion of contracts awarded as the result of competitive bidding in determining whether a contractor shall be subject to the act, a comment by Mr. Dechert of the Department of Defense, although no longer directly applicable, should not go unanswered.

Mr. Dechert said that competitive bidding "in the field of complex items where costs cannot be accurately forecast do not guarantee against excessive profits." He added that:

> In the field of aircraft, for example, perhaps three or more companies would actually bid in connection with a proposed contract for the development and production of a complex piece of equipment. This does not mean that the successful bid is based on accurate cost estimates. In the procurement of complex equipment, competition does not necessarily guarantee against excessive profits.

With due respect to Mr. Dechert, the competition to which he refers never is

on the basis of a firm fixed price to the low bidder. In fact, firm fixed price bids are regarded as impossible "for the development and production of a complex piece of equipment," for the very reason he states, the inability to make accurate cost estimates. Such competition is actually conducted as a competitive negotiation, evaluation being on the basis of proposals—not fixed price bids—which present varying approaches to problems of design, engineering, manufacture, and so forth, plus an estimate of cost and a proposed management fee. Such negotiated contracts would not have been excluded by the amendment proposed last year, nor would they be excluded from the computation provided for in this year's proposal.

We respectfully urge the Committee on Ways and Means to give serious and sympathetic consideration to our proposals.

Finally, we would like to call to the attention of the Members an editorial appearing in the Wall Street Journal on August 4, 1958, on the Renegotiation Act of 1951:

LOADED LANGUAGE

One of the troubles with the current debate over the Renegotiation Act for Government contracts is that it is wrapped up in some emotion-laden language.

This is the law which permits the Government, having once made a contract with a manufacturer to supply goods at a certain price, to later "renegotiate" it and reduce the amount it has agreed to pay. The law is usually described as one designed to recapture "excessive profits" on defense contracts.

Now "negotiation" is a respectable word and "excessive profits" a disreputable phrase. Almost everyone is opposed to the latter and in favor of the former. So a proposal to negotiate away excessive profits has a hard time getting any hard discussion.

But before Congress leaps into extending this wartime measure it ought to frankly recognize that this "renegotiation" in practice is pretty much unilateral. One party in the negotiation, the manufacturer, has a pistol at his head. This is especially true of industries, like aircraft manufacturing, that are heavily dependent on Government business. As a practical matter, the law simply means that the Government can later change its mind on what it agreed to.

And "excessive profits" is a phrase with no definable meaning. There are those who think any profit excessive, and some who think thus are no strangers to Government service. In practice it has come to mean any profit a manufacturer makes over and above what the Government now thinks he ought to have made.

Quite apart from that, there is room for a little thought about the familiar wartime attitude of "hang the costs" of making this-or-that; that attitude certainly wasn't discouraged by the knowledge that if costs were held down the Government would simply "renegotiate" any savings away from the manufacturer.

Nothing is so likely to spur economy and efficiency in operation as a reward for it; nothing discourages it like the knowledge that lower costs will profit the manufacturer nothing. It is not at all unlikely that a renegotiation law generally applied could increase the Government's cost of buying things.

At any rate, we think before Congress approves the bill out of habit it might reflect that it is endorsing a practice by the U.S. Government that would hardly be tolerated in any other buyer.

The text of our proposed amendments follows:

A BILL TO AMEND THE RENEGOTIATION ACT OF 1951 TO ASSIST SMALL BUSINESS, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

DECLARATION OF PURPOSE AND POLICY

SECTION 1. It is hereby declared to be the policy of the Congress, and the purpose of this Act—

(1) to encourage subcontracting in Government procurement to provide incentives for small and independent business concerns,

(2) to encourage prime contractors and subcontractors to subcontract the maximum proportion of their contracts and subcontracts to provide the proper profit motives for small and independent business concerns as the cornerstone of our free enterprise system, and

(2) to expand the Government procurement base by providing incentives and encouragement to small and independent business concerns.

The Congress hereby reaffirms its longstanding policy of assuring to small and independent business concerns a maximum proportion of the contracts for goods and services awarded by the various departments and agencies of the Federal Government.

ENCOURAGEMENT OF SUBCONTRACTING

SEC. 2. Section 103(e) of the Renegotiation Act of 1951, as amended (setting forth factors to be taken into account in determining whether profits are excessive), is amended by adding at the end thereof the following: "In determining excessive profits, favorable recognition must be given to economies achieved through contracting with small business concerns (as defined pursuant to section 3 of the Small Business Act); and a contractor or subcontractor who achieves economies through the programs of the Department of Defense, the Small Business Administration, or any other agency of the Government, to increase the share of such small business concerns in procurement shall, subject to other considerations set forth in this subsection, be provided incentive rewards through proportionately higher profit allowances."

MINIMUM AMOUNTS SUBJECT TO RENEGOTIATION

SEC. 3. (a) Section 105(f)(1) of the Renegotiation Act of 1951, as amended (setting forth minimum amounts subject to renegotiation), is amended (1) by inserting ", or $5,000,000, in the case of a fiscal year ending after June 30, 1959" immediately after "1956" each place it appears; and (2) by adding at the end thereof the following: "For the purpose of determining pursuant to the first sentence of this paragraph whether or not the receipts or accruals from such contracts and subcontracts shall be renegotiated for any fiscal year, there shall be excluded amounts received or accrued from—

"(A) any fixed price or incentive-type contract or subcontract if such contract or subcontract, by its terms, is subject to price redetermination or price revision; and

"(B) any contract or subcontract awarded at a fixed price to the lowest acceptable bidder as a result of competitive bidding in which three or more responsive and competitive bidders have taken part."

(b) Section 105(f)(3) of the Renegotiation Act of 1951, as amended (relating to determination of amounts subject to renegotiation), is amended (1) by inserting ", the $5,000,000 amount" immediately after "the $1,000,000 amount" in the second sentence; and (2) by striking out "$1,000,000" each place it appears in the last sentence and inserting in lieu thereof "$5,000,000".

MANDATORY EXEMPTIONS FOR STANDARD COMMERCIAL ARTICLES AND SERVICES

SEC. 4. Section 106(e)(4)(B) of the Renegotiation Act of 1951, as amended (relating to mandatory exemption for standard commercial articles and services) is amended to read as follows:

"(B) the term 'standard commercial article' means, with respect to any fiscal year, an article—

"(i) which either is customarily maintained in stock by the contractor or subcontractor or is offered for sale in accordance with a price schedule regularly maintained by the contractor or subcontractor; and

"(ii) which two or more competitors can be shown to maintain in stock, or which is substantially similar to articles which two or more competitors offer for sale in accordance with regularly established price lists;".

EXTENSION OF RENEGOTIATION ACT OF 1951

SEC. 5. Section 102(c)(1) of the Renegotiation Act of 1951, as amended (relating to termination of the Act), is amended by striking out "June 30, 1959" and inserting in lieu thereof "September 30, 1961".

EFFECTIVE DATE

SEC. 6. The amendments made by section 2 and subsection 3(a)(2) of this Act shall apply only in respect of contracts with the Departments and subcontracts made after June 30, 1959.

Mr. ALLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, I have opposed any effort to amend existing law as to responsibilities within the Department of Agriculture for the Rural Electrification Administration, as outlined in H.R. 1321.

My position was stated clearly in Additional Views to House Report 235, filed March 20, of this year. H.R. 1321 modifying Reorganization Plan No. 2 of 1939 and Reorganization Plan No. 2 of 1953, adopts an erroneous principle of administration. Instead of tightening controls and establishing clear channels of authority and responsibility it moves in the opposite direction of fragmentation and dispersal of functions and responsibility.

The Hoover Commission, in its report on general management of the executive branch, had this to say:

The President, and under him his chief lieutenants, the department heads, must be held responsible and accountable to the people and the Congress for the conduct of the executive branch. Responsibility and accountability are impossible without authority—the power to direct. The exercise of authority is impossible without a clear line of command from the top to the bottom and a return line of responsibility and accountability from the bottom to the top.

Continuing:

Under the President the heads of departments must hold full responsibility for the conduct of their departments. There must be a clear line of authority reaching down

through every step of the organization and no subordinate should have authority independent from that of his superior. Each department head should receive from the Congress administrative authority to organize his department and to place him in control of its administration.

Even further:

We recommend that the department head should be given authority to determine the organization within his department.

Now, if we continue to create autonomous administrations outside; or even inside, executive departments, administrative chaos is the inevitable result. The department head—a member of the Cabinet—and the President will lose control over the operations for which the administration is responsible.

Likewise the Congress will find it difficult, if not impossible to examine and control the operations of a multitude of autonomous, uncoordinated administrative activities.

The Hoover Commission concluded:

We have urged in our first report that the foundation of good departmental administration is that the Secretary shall have authority from the Congress to organize and control his organization, and that separate authorities to subordinates be eliminated.

Proper administration requires further tightening of authority and establishment of clearer channels of command, not in their diffusion as will be accomplished by H.R. 1321.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to and a motion to reconsider was laid on the table.

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1321) to amend Reorganization Plan No. 2 of 1953.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 1321, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Florida [Mr. FASCELL], will be recognized for 1 hour and the gentleman from Michigan [Mr. HOFFMAN], for 1 hour.

The Chair recognizes the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, the bill before the Committee, H.R. 1321, has two purposes. First, to restore to the Administrator of the Rural Electrification Administration the authority to approve or disapprove loans to be made under the Rural Electrification Act of 1936. This loanmaking authority will not be subject to the supervision, direction, or any other control by the Secretary of Agriculture. This is made clear in the language of the bill as amended by the Committee. The bill states that all of the functions and operations of the Department and the Administrator shall be exercised and administered within the Department of Agriculture by such Administrator under the general direction and supervision of the Secretary of Agriculture. Up to this point it follows the language of the 1939 Reorganization Act. Then there is added the following to make it explicit as to what the purpose of the legislation is:

Except that insofar as such functions relate to the approval or disapproval of loans authorized to be made under the Rural Electrification Act of 1936, as amended, their exercise by the Administrator shall not be subject to the supervision or direction of, or to any other control by, the Secretary of Agriculture.

The language is quite clear on intent.

The second purpose is to reestablish in the Rural Electrification Administration functions which it had prior to the passage of Reorganization Plan No. 2 of 1953 and to modify the effect of that plan and the 1939 plan so that the Secretary of Agriculture will not be able to distribute the functions of REA and diversify them to other departments or officials within the Department of Agriculture.

We want to maintain the REA as an identifiable unit within the Department of Agriculture under the general supervision and direction of the Secretary of Agriculture, except when it comes to functions of loans. In that case the Administrator shall have the authority, without review or general supervision of the Secretary, to make or approve a loan.

The reasons for this legislation are very, very clear, and the issue is very, very simple. You can take your choice of administration. The bill proposes one way; others would have it the way it is. For my own part, I will take the legislation here recommended for reasons that are manifest.

In the consideration of the language of this bill and the reasons why this change should be made, I point out to you certain facts. First of all, under the operations of the Department and the Administrator under the reorganization plan of 1939, there were no orders, written or unwritten; no regulations, written or unwritten, that dealt with the administration of the Rural Electrification Administration or the Administrator in making his loans under the theory of the 1939 reorganization plan. The language of that plan stated this specifically:

SEC. 5. Department of Agriculture—Rural Electrification Administration transfer: The Rural Electrification Administration and its functions and activities are hereby transferred to the Department of Agriculture and shall be administered in that Department by the Administrator of Rural Electrification Administration under the general direction and supervision of the Secretary of Agriculture.

That is the way it operated until Reorganization Plan No. 2 of 1953 came along, which was a general plan of operation involving not just the REA. And it is significant to note the change that took place immediately or shortly thereafter when this plan went into operation.

You find under the purview of the authority of reorganization plan of 1953 that all of the functions and operations of the REA are now transferred and rest in the Secretary of Agriculture, a tremendous difference in the concept of operation from the plan of 1939. The proof of the pudding is in the fact that the Secretary of Agriculture himself, acting under the purview of the 1953 reorganization plan, for the first time issued a regulation or order directing that all of the functions which had been transferred to him under the reorganization plan were, in turn, transferred right back to the Administrator of REA.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Tennessee.

Mr. EVINS. I would just like to interrupt the gentleman, who is making such an excellent talk, and say when this power was delegated to the Secretary, did he not propose to transfer it to a central agency, after he had promised the Congress that if any changes were to be made he would consult the Congress, and he failed to do so?

Mr. FASCELL. I believe the gentleman is correct, and that is in line with the facts which I will discuss in just a moment. I thank the gentleman for bringing that out.

As I say, the proof of the pudding, under the operation of the 1953 act, lies in the fact that the Secretary of Agriculture issued an order transferring all of the power and authority back to the Administrator of the REA for its operation, reserving unto himself, the Secretary, however, as the law required him to do, the right to take those privileges and functions back if he so saw fit. This is all covered in the testimony which will be found in the hearings held last year and this year on the same subject. As a matter of fact, then, under the 1953 plan from a practical standpoint, we had the REA as an identifiable unit in the Department of Agriculture operating independently, although technically and legally that would not be the case. And, everything went along fine; you heard no complaints about REA loans until when? In May 1957 or thereabouts, when suddenly comes to light for the first time a so-called informal loan review procedure. Now, mind you, it was not in writing; there was no written legislation, and yet it is a substantial procedural operation within the Department which heretofore had not existed. Now, you can draw your own inferences from that as far as I am concerned. Nevertheless I will state, as the testimony before the committee bears out, that this was purely an informal or oral arrangement. The new arrangement simply meant that whereas theretofore the Administrator of REA had the actual sole approval and authority of the granting or disapproval of a loan, that thereafter, on those loans which were in excess of $500,000, that they would then be subject to review by the Director of Farm Credit Services before the fact of final approval by the REA Administrator. I would call to your attention the specific testimony, and I believe it is important

because it bears on the fact of which way you will choose to have REA operated and why this legislation is now before you. In the hearings on the legislation this year beginning on page 35, there is an examination by me of Mr. Scott, the Director of the Farm Credit Services, and I leave you to draw your own inferences from the testimony as to what changes had taken place in the loan operation of REA and why:

On page 4, Mr. Scott, you make the statement that the Administrator's authority for final approval of loans was and is not curtailed. Then you follow that up, however, by saying that you have an informal arrangement whereby loans in excess of $1 million are reviewed by you.

Mr. SCOTT. That is correct.

Mr. FASCELL. Isn't that a modification of the Administrator's authority?

Mr. SCOTT. He received the delegation of authority from the Secretary when he was appointed to run the Rural Electrification Administration under the act, and to take actions on loans. That was not interfered with in any way. I have no authority to approve or deny loans. That authority has always been and is now in the Administrator. I review some of them. As to any application where I have any points that I think might well be brought to the attention of the Administrator, I do that. Never in any sense have I indicated that he should turn it down or approve it.

Mr. FASCELL. If this informal arrangement is not a modification of the authority of the Administrator, what is its purpose?

Mr. SCOTT. Well, it is largely to keep the Secretary's office informed, and me particularly, so that I can bring to the attention of the Secretary any points about the program of any nature that I think would be in keeping with his responsibilities.

Mr. FASCELL. If the Administrator had a direct delegation of authority under the Reorganization Act from the Secretary of Agriculture, why wouldn't he be automatically informed as to everything that is going on in this Department?

Mr. SCOTT. You mean the Secretary be automatically informed?

Mr. FASCELL. Yes. Isn't the REA Administrator a part of the Department of Agriculture?

Mr. SCOTT. Oh, yes, indeed.

Mr. FASCELL. Then why would you have to have an informal procedure to keep the Secretary advised? He is under the direct supervision of the Secretary of Agriculture, is he not?

Mr. SCOTT. That is right.

Mr. FASCELL. Then this informal arrangement is evidently to accomplish something else.

Mr. SCOTT. No; it is not.

Mr. FASCELL. Then I still don't understand the reason for the informal arrangement.

Mr. SCOTT. The pattern of operation in the Department of Agriculture is to have the several bureaus or agencies under the supervision and direction of a staff member, the Under Secretary and the Assistant Secretaries, and myself, and the administrative assistant, Mr. Roberts.

Mr. FASCELL. Now, sir, you are Director of Agricultural Credit Services?

Mr. SCOTT. That is right.

Mr. FASCELL. Under ordinary operation in the chain of command wouldn't Mr. Hamil's department be under your supervision and direction?

Mr. Hamil is the Administrator of REA.

Mr. SCOTT. That is right.

Mr. FASCELL. Then if that is true, why the necessity of expressing specifically an informal arrangement dealing with a particular amount of loans? You have jurisdiction over everything he does, don't you?

Mr. SCOTT. That is correct, but in any lending operation the way to keep in touch with the loan requirements out in the country, and the specific needs in the REA systems, to find out what their requirements are, what their progress is, and their estimates of future growth, and so on, you get that best from review of the loan dockets.

Mr. Chairman, I am going at length into this testimony because I believe it develops very clearly between the Administrator and the Director of the Farm Credit Services and myself in this interrogation exactly what the issue is. I continue quoting from the hearings:

Mr. FASCELL. I will agree with you, Mr. Scott, but couldn't you do that before you had this informal loan arrangement?

Mr. SCOTT. Yes.

Mr. FASCELL. All right, then, what are you doing now under the informal arrangement that you weren't doing before the informal arrangement?

Mr. SCOTT. Well, it is an opportunity in an orderly way to look at the loan folders. I didn't look at very many loan folders before. It was an arrangement to have these larger loans come across my desk, to keep me informed as to what the situation is.

Mr. FASCELL. In other words, what you are telling me, as I understand it, is the practice in the Department was, prior to the time that this informal arrangement was set up, that nobody reviewed Mr. Hamil's activities. For all intents and purposes, he was an independent operation, even though he was under the direction, supervision, and in the chain of command which flowed through you to the Secretary; so that there would be no misunderstanding about a definite review practice being established, you set up this informal review basis, even though you had the authority prior to that time to do the same thing?

Mr. SCOTT. That is right. Mr. Hamil and his predecessor, Mr. Nelson, and I frequently talked about matters, but this was thought to be a more orderly way and a very simple way for me to keep in touch with the problems and progress of the system out through the country.

Mr. FASCELL. I am still at a loss and I can't understand why it is necessary to have a particular administrative procedure identified as such when you had the authority to do the same thing all along.

This gives rise to speculation, at least, if not actual fact, that something is now being done that wasn't done before, and in order to do that you had to specify it even though it is informally.

I don't see how you can escape that, and this is, by the way, an oral proposition, there is no written regulation or directive?

Mr. SCOTT. That is correct.

Mr. FASCELL. So we have the same situation today as we did the last time we discussed this matter. Do I understand, Mr. Scott, that under the present procedure of this informal arrangement that Mr. Hamil has a completed docket prior to the time he comes to you, if it is in excess of $1 million?

Mr. SCOTT. Yes.

Mr. FASCELL. And when the matter is brought to you, has he decided what action should be taken before it comes to you?

Mr. SCOTT. Well, I don't attempt to find out whether he has or has not. As a matter of fact, I am quite sure that sometimes I see the loan before he does. These dockets represent the judgment of his staff people, including the men that work there in the General Counsel's office.

Mr. FASCELL. Maybe I better direct my questions to Mr. Hamil; would you inform me what the procedure is now. If a docket is presented, and I assume that it is a file folder, it starts out with the basic application and then goes with their—with staff studies, and what not, stuck on top of it?

Mr. HAMIL. Yes.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield for an inquiry?

Mr. FASCELL. I yield.

Mr. BROWN of Ohio. Is the gentleman reading from the hearings of 1958 or from the hearings of 1959, which have not been printed and are not available to the House? As far as the minority is concerned, they are not available here. From which hearings is the gentleman reading?

Mr. FASCELL. As I stated when I started, I began reading on page 35 of the printed hearings of 1959 on the legislation.

Mr. BROWN of Ohio. They just came over, I understand, and were delivered today. We have not even had an opportunity to read them.

Mr. FASCELL. However, you have had the galley proofs for a long time. Now, to continue with the testimony I was reading:

Mr. FASCELL. And finally somebody gets around to putting a final sheet of paper on top of it which says yes or no, Mr. Hamil; is that what you do?

Mr. HAMIL. I sign all loan dockets. That makes it a legal instrument, and in my absence, as I told you a minute ago, I delegate the authority. Let me put it this way: No loan has ever gone to Mr. Scott's desk that I didn't intend to make. I have made every one of them that went to Mr. Scott's desk.

Mr. FASCELL. That doesn't answer my question.

Mr. HAMIL. Well, what do you want, Mr. FASCELL?

Mr. FASCELL. I can appreciate what you are telling me. I have no quarrel with that. All I am trying to find out now is whether or not you actually, in writing, take final action on a loan prior to the time it is submitted for review.

Mr. HAMIL. I have in many cases. I can any time I want to.

Mr. FASCELL. All right.

Mr. HAMIL. I am the Administrator, Mr. Congressman, and I can sign those dockets any time I want to.

Mr. FASCELL. When you say sign a docket, just what does that mean; tell me.

Mr. HAMIL. That makes it a legal document obligating the United States of America.

Mr. FASCELL. In other words, it is the final paper which indicates that the applicant is entitled to the money?

Mr. HAMIL. Yes, it is a commitment, Congressman. There may be a stop order provision saying that the borrower must meet certain qualifications before we will release the funds.

Mr. FASCELL. I see. But for all intents and purposes it is the final commitment?

Mr. HAMIL. Yes.

Mr. FASCELL. Now, all I am trying to establish is the procedure. Do I understand that the final commitment in all cases involving $1 million is or is not signed by you prior to submission for review under this informal arrangement you have?

Mr. HAMIL. Basically, they have not been signed before I send them over.

Mr. FASCELL. All right, then, any loans for $1 million are submitted to you and then they are signed by you?

Mr. HAMIL. Yes.

Mr. FASCELL. That is the procedure?

Mr. HAMIL. Yes, as Mr. Scott has told you, Mr. Congressman, it has been an informal

procedure for discussion purposes. This is no small amount we are dealing with.

Mr. FASCELL. I didn't say it was. I don't mean to be derogatory at all. Now, isn't it a fact, Mr. Hamil, prior to 1957, when the first informal arrangement was made, that the final commitment was signed by you without prior review?

Mr. HAMIL. I discussed many loans with Mr. Scott prior to that.

I am still bearing on the question because I want a direct answer.

Mr. FASCELL. I am sure you did, and with other people, but the basic difference between your operation prior to 1957 and today is that in those loans under which this informal arrangement applied, you do not actually sign the final commitment until after the review has been made?

Mr. HAMIL. That is basically right.

Mr. Chairman, I should like to tie that testimony in with a little bit of testimony that came out of the last hearings, and I refer to page 206 of the hearings on the legislation in the last year, when a similar bill was before the committee.

Again the interrogation was of Mr. Scott by Mr. Lanigan, and I quote from page 206:

Mr. LANIGAN. I just wanted to get back to this construction that you had—this discussion you had, whether you would review the loans before they were made rather than after they were made.

Mr. SCOTT. Yes.

Mr. LANIGAN. Why were you to review them before?

Mr. SCOTT. Well—

And this is the issue, as I see it—

Well, if you are going to have any influence on policies on a loan, certainly the time to discuss it is before the loan is made.

Mr. Chairman, I do not know how you can document any clearer than that what the intent is, and what the change is that has taken place in the operation of the Administrator of the Rural Electrification Administration within the Department of Agriculture under the procedure that exists under the reorganization plan of 1953 and the Secretary of Agriculture's loan-review policy.

Now, it has been said, and it probably will be said, that by this bill we are starting some kind of precedent which is an administrative monstrosity. I would say in answer to that, and I point this out in the affirmative discussion on this legislation, that when Congress set up the REA with the policies inherent in that legislation, they provided that an Administrator should be elected for a 10-year term. Everybody here understands why that was done. It was to free the Administrator from outside pressure. All we are seeking to do in this legislation is to be sure that even though certain administrative changes have been made which are a benefit for accounting purposes and budget purposes and personnel purposes and other administrative purposes, we do not destroy the original intent that Congress had in setting up this act as far as the independent loan actions of the Administrator are concerned; and we do not inflict upon his independent judgment any policies or criteria which were not spelled out by the Congress in that act. That is all we mean to say.

The same procedure with respect to the independence of units within a department exists in other cases. They are spelled out in the reports. There is nothing unusual about it. Other officers are given independence with respect to certain functions in which they have the sole authority despite the fact that they are in a chain of administrative command in a larger department.

Mr. Chairman, in conclusion I submit there is a very real reason that since 1957 there has been considerable question around the country with the REA's and the cooperatives all of whom support the legislation. I believe it is well founded. I believe this legislation provides a moderate approach to correct that problem, and I submit it should be adopted.

Mr. McGOVERN. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. McGOVERN. I want to associate myself with the very fine remarks that the gentleman from Florida has just made. In that connection, a few minutes ago, it was charged by the distinguished minority leader in citing the committee report, for authority, that the report stated the 1939 act had actually transferred the loanmaking authority from the Administrator of the REA to the Secretary of Agriculture, but in reading the report since that time, it becomes clear to me, and I think to the gentleman, that the report says just the opposite.

If you will turn to page 3 of the committee report, this is what we read:

While the 1939 plan transferred the functions and activities of the Rural Electrification Administration to the Department of Agriculture, it continued the administration of these functions and activities in the Administrator of Rural Electrification Administration.

Mr. FASCELL. I thank the gentleman for pointing out what the committee report had to say, and I certainly agree in that analysis of it.

The CHAIRMAN. The gentleman from Florida [Mr. FASCELL] has consumed 25 minutes.

The gentleman from Ohio [Mr. BROWN] is recognized.

Mr. BROWN of Ohio. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, I have listened with a great deal of attention to my very able and very learned colleague on the committee, the gentleman from Florida [Mr. FASCELL], for whom I have gained a great admiration and respect and also a great deal of affection throughout the time we have been serving together. He is indeed a very, very able pleader at the bar. I want to congratulate him upon being skillful enough to present a bad case in a rather favorable light to this body.

I would like to discuss with you, if I may, for a little while some facts about this situation and about this legislation, and about the background of the Rural Electric Administration.

In the first place, I think it should be written indelibly in the RECORD of this House at this time that a great majority of the membership of this body on both sides of the aisle support the idea and the ideals of the REA. I think it should be made clear that I have throughout the years of service in Congress, and it has been a long, long time, as most of you know, supported REA appropriations and all beneficial laws for the purpose for which REA and later the telephone arrangement under REA were enacted.

I think it should also be made clear in the very beginning that the present administration now in control of the executive branch of the Government has been very much interested in the welfare of REA and interested in the services it has rendered.

In this connection I would like to point out as a matter of record and as a matter of fact that during the 6 years of the present administration, from 1953 through 1958, there was $1,545 million Federal funds made available for REA purposes, while during the 17½ years, or nearly 18 years in which our Democratic friends controlled the administration there was a total sum of $2,954 million made available for the use of REA.

I refer to the minority report which appears on page 25. May I express the hope that before you vote on this particular measure you at least take the time to read the hearings. They are available just now. They came in after I took my seat at the table in charge of this bill; and that you read the report, and especially the minority report. The facts are that when REA was established back in 1936 it was created as an independent agency of the Government, coming under the direction and control of the Office of President of the United States. President Roosevelt back in 1939, realizing the pressures that were upon him because of this great multitude of independent agencies that had been placed under the Office of the President, in Reorganization Plan No. 2, which was submitted to Congress at that time by him, requested that this independent agency be transferred and put under the jurisdiction, direction and control of the Secretary of Agriculture.

There was no opposition to the reorganization plan submitted by President Roosevelt by those Members who oppose this bill today and who served here then.

A little later came the first Hoover Commission, which was instituted by a unanimous vote of both the House and the Senate to act as an arm of the Congress. In their findings reported to the Congress and to the President they said we should transfer more of these independent agencies out of the Office of the President of the United States to the different Cabinet officials for operational purposes, for supervision, so that the President himself would not be required to pass upon these matters.

You and I are practical people; I see some of my friends today who are very realistic in politics. I do not believe anyone will contend that when a so-called independent agency is placed under the President of the United States that the President of the United States and the White House Office does not have something to say about the policies that are followed and the actions that are taken by the heads of these independent agencies. So, really, when we get down to cases, when we discuss this situation

realistically as men and women who have had some experience in public life, persons who are not as naive as my friend from Florida would like to have some people believe, it does not make too much difference in the end, in the summation, whether it is the Secretary of Agriculture or the President of the United States who may be consulted, who may review, who may take a look at the loans being made or the money being obtained from the Federal Treasury by any agency of Government which may come under their jurisdiction, regardless of which it may be. I think most of you will agree that this is rightfully so; because, after all, the Cabinet officers, out of their own confines of jurisdiction, the President within his, have the responsibility to the people of the country to know what the cost of any agency or any activity of Government may be. I believe if you will check the records and the reports that have been referred to here, and read these hearings—and we had voluminous hearings a year ago, or almost a year ago, and again shorter hearings this year on this subject—you will find there a rather plain story about this whole situation, something that you want to think about; and that, my friends, is that there was not one single word or one iota of testimony given or taken that the Secretary of Agriculture had ever at any time interfered in any way with the Director of REA in making these loans. Seemingly, the only thing the Secretary of Agriculture is guilty of is inquiring for information, getting information that will be of benefit to him and the President of the United States and which I hope will be of some benefit to the Congress of the United States, which, after all, has to pass upon the appropriations and the expenditures of public funds.

No; I took particular interest in it to inquire of every critical witness who came before our committee either last year or this year if they could point to a single instance, Mr. Chairman, where the Secretary of Agriculture had interfered in any way with the making of these loans. I heard the dialog that went on between the gentleman from Illinois and the gentleman from Indiana about an REA loan that was made or was not made down in southern Indiana. I am sorry the gentleman from Illinois has not had the opportunity to read the hearings. But I recall very distinctly that the testimony showed the request of the REA cooperative for one of the loans had been withdrawn and the loan was not being requested, had not been asked for, and it was not rejected or not turned down by either the REA Administrator or by the Secretary of Agriculture.

Now, what have we here? We have only the expressed fear on the part of somebody, somehow, that perhaps somebody in the distant future, some Secretary of Agriculture, or if it goes back to the Office of the President, if you transfer it there, some President might say that this loan is not justified and should not be made.

The facts are, and we ought to discuss facts when we consider legislation of this kind, that this Congress accepted without the opposition of those who now propose the legislation, the reorganization plan not only of 1939, as I mentioned a moment ago, but also Reorganization Plan No. 2 of 1953.

The facts are, whether you like it or not, if you will read this bill the language speaks for itself that it is now being proposed by the sponsors of the legislation that you amend both Reorganization Plan No. 2 of 1939 and Reorganization Plan No. 2 of 1953. If as I understood the gentleman from Florida to say really all this trouble springs from the reorganization plan of 1953, I ask you in the name of common sense why was it necessary or advisable or wise to write legislation that would also amend the reorganization plan of 1939?

No; the facts are as I said a moment ago, someone has a fear that a future Secretary may overrule some loan.

The facts are, Mr. Chairman, that we now have more than 95 percent of the farms of this country being served with electricity, either from REA, and it is a glorious record that the REA has written in this field of activity, or by private power companies. The facts are that 75 percent or more of the loans that are now being made under REA are for the purpose of extending power facilities into urban and suburban areas for use not only by householders but for the use of industry.

The facts are, in my opinion, that sometime, someday, the Congress of the United States, which created this great agency, must take a look at it once more to see just what we should do in the future about this matter.

Now, it is my contention, it is my belief, in view of the facts, in view of the record, that there is not one single bit of testimony in these hearings that shows—and no witness could point to a single incident—where any damage has been done in any way to REA or where any loan has been rejected by the Administrator either with or without the review or the suggestion of the Secretary of Agriculture or any of his deputies. Consequently, I cannot understand for the life of me, having sat for weeks and weeks through these hearings last summer and again this spring, why this legislation is either necessary or wise. Why some Members of this House who marched up the hill, if you please, in 1939 and again in 1953 to give us a better administrative setup for our Government, a better control of the functions of Government, now want to turn around and march down the hill again and disintegrate and destroy, or at least maim and injure the very agency of Government that they created, the very methods that they said a short time ago were good and right and were proper, just does not make sense. There is no reason in the world that I know of that any member of any REA cooperative should have any fear that any of their proper activities will be interfered with in any way by this or, I believe, by any other administration; by this Secretary of Agriculture or by this President or by any other Secretary of Agriculture or any other President who may come from my party or from yours. So, I cannot support this bill, much as I believe in the purposes of the Rural Electrification Administration and much as I have supported that organization throughout the years and expect to continue to support it in all of its proper activities.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I want to thank the gentleman for his statement and ask him a question. I have read over this report and I do not believe I have ever seen a report from a committee of quite this nature, because the report itself takes up only about four pages plus, but then the bulk of this report seems to be a statement of Clyde T. Ellis, general manager of the National Rural Electric Cooperative Association. He is not a Member of Congress. Was he a witness and was he interrogated?

Mr. BROWN of Ohio. He was a witness before the committee back in 1958. He filed a statement.

Mr. CURTIS of Missouri. Why would 11 or 12 pages of this report—and it is only a short report—be taken up with his statement? I have never seen a committee report of that nature.

Mr. BROWN of Ohio. The gentleman has asked me a question that I, of course, cannot answer, because I did not prepare nor did I sign the majority report. If the gentleman will turn the pages, he will find that I prepared and I filed the minority report, which starts on page 24.

Mr. CURTIS of Missouri. May I ask this further question. May we presume, then, that the majority is endorsing this statement of Mr. Ellis?

Mr. BROWN of Ohio. The gentleman will have to decide that for himself. I do know, of course, that Mr. Ellis is not a Member of Congress. He was a Member of Congress. Probably he is in a much more prosperous position and condition today than the average Member of Congress. I do know that he heads a great organization and is interested in legislation of this type. I do know that he has been a very vehement witness in his testimony, yet he did not point out a single instance or submit to the committee a single bit of direct evidence or even indirect evidence that in any way the Secretary of Agriculture had interfered with the Director of REA in making loans. And I want to emphasize for the record, the Assistant Secretary of Agriculture, as well.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. YOUNGER. The gentleman is a member of the Hoover Commission. Is this bill in line with the Hoover Commission recommendations?

Mr. BROWN of Ohio. This bill?

Mr. YOUNGER. Yes.

Mr. BROWN of Ohio. No. Reorganization Plan No. 2 of 1939 was sent up by President Roosevelt before the Hoover Commission became active. Reorganization Plan No. 2 of 1953, as well as the other, are both in line with the Hoover Commission recommendations that were made by the first Hoover Commission.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. JONAS. Considering the fact that since its organization in 1935 and up to 1958 the U.S. Government has loaned $3.8 billion for this program, is there anything inherently wrong in having a Cabinet member supervise loans that are in excess of $1 million? It strikes me, since we already owe more money than all the nations of the world put together and we are facing a $12 or $14 billion deficit this year, it is high time that somebody began to supervise some of the lending agencies. Is there anything inherently wrong with this?

Mr. BROWN of Ohio. I get the import of the gentleman's question. I certainly do not feel so. As I stated a moment ago, I feel there is some responsibility on the part of the administration, and certainly of the Cabinet officers under whose jurisdiction these different agencies come, at least to obtain information and be able to furnish it to the Congress of the United States and to the American people.

Mr. JONAS. Am I correct in my understanding that the purpose of this legislation is to take away from the Secretary of Agriculture any authority to inspect, examine, supervise or give advice about the making of loans in excess of $1 million?

Mr. BROWN of Ohio. That is a rather broad coverage but, as I read this bill, the Secretary of Agriculture would have no control, no right of review, no right of resurvey or study or right to comment on any loan that the Director of the REA might desire to make. He would be a free agent, on his own, absolutely.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. On page 126 of the hearings of 1958 I find this question asked of Mr. Ellis:

> Well, on page 2 you say there is a master plan to drain REA of its life and vitality?
>
> Mr. ELLIS. Yes, sir.
>
> Mr. HOFFMAN. You are referring to Mr. Benson; are you?
>
> Mr. ELLIS. I am referring to the master plan as outlined first by the——
>
> Mr. HOFFMAN. Are you referring to Mr. Benson?
>
> Mr. ELLIS. As being a party to it, yes.
>
> Mr. HOFFMAN. Who else is in it, briefly? Just the names and the positions they hold.
>
> Mr. ELLIS. The plan was outlined, the first time I saw it, by the task force on lending agencies of the Hoover Commission. Now the Hoover Commission did not adopt the task force recommendations but the task force made four recommendations.
>
> Mr. HOFFMAN. Just a minute. Now, Mr. Chairman, I do not want to take a lot of time. If you will just answer my questions, we will get through very quickly.
>
> I asked you who besides Benson participated in this master plan as you term it, to destroy REA?

I would like to have the Members notice this vile, wicked conspiracy here that Mr. Ellis seems to see somewhere. Here is his answer.

> Mr. ELLIS. The power companies.
>
> Mr. HOFFMAN. Well, name them.
>
> Mr. ELLIS. Mr. Eisenhower, President Eisenhower, Mr. Benson, Douglas McKay, and now I fear Secretary Seaton.

The gentleman says it is the power companies. I ask the gentleman from Ohio, did you ever hear of President Eisenhower being a power company before?

Mr. BROWN of Ohio. I never knew he was engaged in that activity. I thought, before he became President, he was a general. But I may have been misinformed.

Mr. HOFFMAN of Michigan. I wish the gentleman would read this record again.

Mr. BROWN of Ohio. I shall check it very carefully. I heard that testimony, participated in it.

Mr. HOFFMAN of Michigan. Here is the question:

> Anyone else?
>
> Mr. ELLIS. Yes; the Director of the Bureau of the Budget.

He is in this vile conspiracy. Does the gentleman think Mr. Ellis must have been telling these folks about our plans?

Mr. BROWN of Ohio. I want to save some time for other gentlemen, if I may.

Mr. HOFFMAN of Michigan. Let me go a little further. The gentleman had something to do with the Hoover Commission?

Mr. BROWN of Ohio. Slightly.

Mr. HOFFMAN of Michigan. The gentleman was on the committee when it went through Congress.

> Mr. HOFFMAN. In fact, everyone who is opposed to your recommendations?
>
> Mr. ELLIS. Oh, no. I don't say that at all.
>
> Mr. HOFFMAN. You have gotten to the Director of the Budget, now. Who next?
>
> Mr. ELLIS. Everybody who has participated in trying to carry out the plan as outlined by this task force of the Hoover Commission on lending agencies, who has done any or several of these things to effectuate the plan as laid out there.

I cannot understand how my friend from Ohio would be in a deal of that kind.

Mr. BROWN of Ohio. I follow the gentleman's leadership on my committee, and he may have misled me at some time in the past.

Let me conclude that the administration that Mr. Ellis is speaking about was the same administration that furnished to the Rural Electrification Administration in funds more than 50 percent as much money in 6 years as did the preceding administrations in practically 18 years.

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the sponsor of this legislation, the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, this bill is designed to do two things. First, it reestablishes the loan-making authority of the Rural Electrification Administration Administrator. Second, it maintains in the Department of Agriculture for centralized administrative purposes the Rural Electrification Administration.

The Congress, when it passed the original REA Act in 1936, was explicit in its intent that this would be an independent agency with loan-making authority vested in the Administrator. This is typical of the action of the Congress in the establishment of all loan-making agencies within the Federal Government. If there is a superior authority placed over the REA Administrator in the loan-making power that he holds, it would be the only case in the Government where such control exists.

As the sponsor of the bill, I do not want to see the agency taken from the Department of Agriculture, where it has had good administration, where it is in a good home, and where in the Congress it comes within the jurisdiction of a committee, the Committee on Agriculture, which has always been good to the Rural Electrification Administration and has sponsored it and has made it a valuable agency for the rural segments of American society.

It has been testified that 95 percent of rural homes, of the farms of the country, have been electrified under this program, so no one questions the value of the Rural Electrification Administration.

I want to be perfectly honest about the argument that arises over whether the 1939 Reorganization Act gives the Secretary of Agriculture loan-making authority over the Administrator. Perhaps it did.

The point at issue here, however, is that there may be a question whether it does or does not. There is reason to believe that possibly it does. But, that is not an issue here because this authority was never exercised by the Secretary of Agriculture. It is significant, I think, that the first time it was exercised was in May of 1957, almost 4 years after the Reorganization Plan No. 2 of 1953, and it is significant that this change in the loanmaking operations of the agency came during the controversy over the Indiana case, which was explained sometime earlier in the afternoon by the gentleman from Indiana [Mr. DENTON].

It has been stated that no loans have been withheld. That may be perfectly true. But, the Indiana loan had not yet been made. There is evidence that many loans have been delayed. But, I am not arguing that point.

The Congress in 1936 set the REA up as an independent agency and the great stress in those days was that it would forever be free of politics. I think one way of keeping it free of politics is by vesting the loan authority in the Administrator. After all, what do we on this side of the aisle have to gain today by having it vested in the Administrator when he is appointed by the present administration? But, we think by making him an independent agent with full loan authority, he has a degree of independence that will permit him to keep his agency completely free of politics. That is our desire here.

It has been stated here by my good friend, the distinguished gentleman from Ohio [Mr. BROWN], that this legislation is born of fear. Well, perhaps, there is some degree of truth in that. But, that fear was generated at a time when there was cause for fear—at the time of the Indiana case. How do we know how many loans might have been involved, in the same manner as the Indiana case today had not this legis-

lation been introduced last year to serve notice upon the Department that Congress was watching and that Congress had a voice in this matter.

It has been said that there was no opposition to the Reorganization Plan No. 2 in 1953. Well, there was opposition to it. Many distinguished Members of Congress were opposed to it, and if I could read the names without violating the rules of the House here this afternoon, I am sure some of the gentlemen of the House would be surprised to find who the opponents were to this plan. They insisted then and they still insist today that Congress would not have approved Reorganization Plan No. 2 of 1953 if they had not had positive assurances that there would be no major change in the administration of the agency unless it was first cleared by the Congress.

I would consider that changing the rules as to the loanmaking authority is certainly a major change. Some of these Members of the Congress on both sides of the Capitol feel there has been a breach of the promises that were made in 1953. They feel that the assurances given to them at that time have not been fulfilled. You will read that in your committee report.

There is plenty of reason for the Congress to act in this matter, to preserve its prerogative, and to have something to say about this agency of Government. This legislation merely reaffirms the original statutory authority of the Rural Electrification Administration and reaffirms the intent of the Congress that the Administrator himself shall be the final authority in the granting of loans. What is so strange about that? He is the man who makes all of the arrangements. You know the REA Administrator is a pretty active man. He travels into every section of the country. He attends the regional meetings and the State and district meetings. He sits down with all the co-op leaders throughout the country and talks over with them their plans for future expansion and their plans for new cooperatives. I think we would be taking a great deal from him if he is not able to speak authoritatively to them, when they discuss with him the possibility of a loan to expand their operations.

There might be frequent occasions, unless we do something now, to keep this authority within the hands of the Administrator, when some assurance that he gives to these co-ops in keeping with what he believes to be within the regulations of his organization, should a superior be able to repudiate implied agreements with applicants. No one wants to take the agency out of the Department of Agriculture. We are very happy that it is there. We think it has prospered there. It prospered there long before we had the regulation of May 1957. This agency has lived a long time within the intent of Congress, and it is a very strange thing that suddenly this act is required to change the entire loan procedure. I think what we need to protect the REA is the enactment of this legislation to fulfill the intent of Congress.

There was much consideration given at the time of the enactment of the original act, to make certain that this would be one agency that would serve the rural segment of our society without regard to politics. I concede that the Indiana case, being the possible cause for this order, would bring in the element of politics. That would be only the beginning. There would be many more to follow that.

Let us keep this agency free from politics. Let the Administrator have final authority, as Congress originally intended that he have.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. PRICE] has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count.

Mr. HOFFMAN of Michigan. Mr. Chairman, I withdraw the point of order.

Mr. MEADER. Mr. Chairman, I yield 3 minutes to the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Chairman, my interest in this legislation today stems from two sources: First, all the REA cooperatives in Maine are within my congressional district. I have followed their progress with a great deal of interest. I wish not only to commend the management of the cooperatives but also those who have considered their needs in new applications within the last few years, which applications have been approved and a fine job done. Second, my interest stems also from experience which I draw upon in the field of agricultural credit.

I am very much disturbed at what appears to be a challenge to the principle of review of loans on the part of those who have areas of responsibility in connection with those loans. I think it is an important principle. It is a basic part of the sound lending done by our agricultural lending agencies. The principle is that when loan applications reach a certain level they must be reviewed by those in higher authority.

This legislation, in my opinion, strikes at the very heart of that principle. In my experience with agricultural credit I have found the principle most sound. I shall oppose this legislation, because I think sound review is a very important part of constructive lending.

I subscribe to the principle that if there is invested in the authority of the Secretary a responsibility, then certainly administratively there should be room enough in the minds of us all that he should discharge that responsibility regardless of who the Secretary might be.

During my service in Congress I have worked objectively to keep lending functions of Federal agencies out of partisan politics.

I regret that there is nothing in the background of this legislation that brings me to any other conclusion than that it is inspired as a partisan attack on the present Secretary of Agriculture.

I regret that leadership in REA and in Congress stoops to these tactics. It is not the way I wish to handle REA affairs.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. WAMPLER].

Mr. WAMPLER. Mr. Chairman, I speak to you at this time on a subject which is very important to all of us. A great piece of legislation was enacted in 1935 which gave new life to the man who lives in the rural area; it gave him equality with those in other fields of endeavor; that was the establishment of the Rural Electrification Administration. From that came an appeal, an appeal to the private-power industry to create and generate electricity and carry it into these rural areas, but the appeal did not meet with the response that was necessary. There followed the formation of the rural electrification cooperatives. They have gone a long way in giving the farmer in the rural areas the power he needs. Now they have taken a further step in trying to meet those needs.

I speak for the State of Indiana, where we have found that the cost of electricity to the REMC's the Rural Electric Membership Corporations, was somewhat excessive. They had the idea they would like to broaden out a little to the point where they could generate their own electricity. Immediately the cooperatives appealed to the REA to get a loan of $42 million to activate a plan in the southern section of the State. The Governor of the State of Indiana brought his forces into action.

He rounded up three public utilities commissioners, indoctrinated them as he saw fit, sent them to Washington to confer with the President of the United States and with the Secretary of Agriculture and defeated the thing that Indiana was striving to procure, a plant to generate electricity in the southern section of that great State. There existed a rivalry between private industry and public industry, that was politically instigated to defeat a project designed to meet the needs of the public.

Yes; this could occur in your State. It did happen in mine.

We in Indiana have a unique situation but it is no different from a situation that might face you in your State. We are optimistic, progressive, and appreciative of the things that have happened in the past with the REA.

We also feel that the security and the defense of America must be built in this age where we face an epoch of power and an era of science and we feel we cannot be retrogressive and still build that program by 1965.

When you evaluate the situation you must go back to the farmers in your own districts. They are the ones who will express their views to you and they will cite the case in Indiana as the reference, whether the farmer hails from the Gulf of Mexico to the Great Lakes or from the Atlantic to the Pacific. There is a feeling that the State of Indiana has been discriminated against by placing REA loan responsibility in the hands of the Department of Agriculture without the jurisdiction of the Administrator of the REA; and, therefore, a most beneficial program cannot be maintained without such amendments as we are considering today.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WAMPLER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I want to congratulate the gentleman from Indiana as a new Member in making such an excellent speech and a fighting speech in behalf of the farmers of his district, State, and the country.

Mr. WAMPLER. I thank the gentleman.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. FASCELL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1321) to amend Reorganization Plan No. 2 of 1953, and come to no resolution thereon.

## FAIR LABOR STANDARDS ACT

Mr. ADDONIZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, last year we celebrated the 20th anniversary of one of the great pieces of humanitarian legislation enacted during New Deal days. The Fair Labor Standards Act has helped millions of people in the economy at the bottom of the economic ladder, who do not enjoy the protection of unions, to receive a minimum wage which helps them to receive at least subsistence income.

The Fair Labor Standards Act has also put a ceiling on hours, so that the 40-hour week has become a standard in the Nation. The Fair Labor Standards Act has made a great contribution to the economy. It has increased the purchasing power of the American people and in part made possible the great economic expansion which the Nation has enjoyed over the postwar years.

But we have been amiss in not taking full advantage of the possibilities of the law. During the 20 years while the law was in effect we have increased the minimum wage only twice and we have failed to extend the coverage under the law over these 20 years. Consequently, despite the years of successful operation under the Fair Labor Standards Act, we find that some 20 million employees working in commerce are still not covered by the provisions of the law.

We have been particularly amiss in not extending the benefits of the law to millions of employees who need the protection of the Fair Labor Standards Act most. The law does not cover the 8 million employees in retail trade nor are the 4 million employees in services and related industries subject to the coverage of the Fair Labor Standards Act. I believe that the workers in these industries urgently need the protection of the Fair Labor Standards Act and that we must extend the protection of the Fair Labor Standards Act to these employees.

I do not favor Federal legislation to regulate wages in small local business. It would seem fair to me, therefore, that we exempt from the provisions of the Fair Labor Standards Act those retail and service establishments which are purely local in nature. But I cannot see the justice of failing to cover employees working in multi-million-dollar establishments and for chains which have hundreds and sometimes even thousands of outlets in practically every State of the Union.

A recent study by the U.S. Department of Labor shows that many of these multi-million-dollar retail and service corporations are the ones that are most guilty of paying substandard minimum wages. I believe that the protection of Fair Labor Standards Act should be extended to at least an additional 10 million workers throughout the country.

But not only is the coverage of the Fair Labor Standards Act entirely inadequate, the minimum wage in itself is outmoded. It is almost 4 years since Congress voted the dollar an hour minimum wage. I believe that it was inadequate then and it certainly is way behind the times today. The growth in American productivity also makes it possible to support higher minimum wages without hurting the economy.

As a matter of fact, it is a basic need of our economy to increase minimum wages which help boost the purchasing power of the broad masses of the population and support our ever-increasing capacity to produce. Boosting the minimum wage to $1.25, therefore, as provided by my bill, H.R. 312, serves not only humanitarian interests but is a basic need for a healthy and growing economy.

Mr. Sol Stetin, an able vice president and regional director of the Textile Workers Union of America, has kindly furnished me with an estimate of the impact on the economy of New Jersey if the minimum wage were raised to $1.25 per hour and coverage broadened. The survey was compiled by the research department of the AFL–CIO. An estimated 180,000 low paid workers in New Jersey would be affected. The required increase in total wage and salary payrolls in New Jersey would be less than one-half of 1 percent.

Although small as a proportion of total payroll, the increase would be considerable addition to the purchasing power of the State's lower-income families. In dollar terms, the increase in purchasing power for New Jersey's low-income workers would be an estimated $49 million a year.

As Mr. Stetin observes, these facts constitute a convincing and forceful argument for immediate adoption of the pending legislation.

This year we will celebrate the 21st anniversary of the Fair Labor Standards Act. This is the year when the Fair Labor Standards Act should reach full maturity. A proper way to celebrate it is to extend the coverage to workers in retail and service trades and to other millions of employees not covered by the act, and to boost minimum wages to $1.25.

## DECLARING GOOD FRIDAY A LEGAL HOLIDAY

Mr. WOLF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WOLF. Mr. Speaker, simple eloquence spoken from the heart is the most effective and meaningful method of communication. I am sure that none of us are able to forget the beautiful and touching letter written by Vanzetti, the humble fishpeddler, to his son on the eve of his death.

I am taking this opportunity to place in the CONGRESSIONAL RECORD a letter from one of my constituents. She is a woman who loves her country dearly and is deeply religious, not in the flashy, empty way of many but in the humble, honest way that is the mark of the true believer.

This woman, Mrs. Haase, has asked me to sponsor a bill making Good Friday a national legal holiday. I have checked with many religious and lay leaders who support such an idea because they feel, as I do, that Good Friday is as important in the life of the Christian religion as Christmas. I am introducing today a joint resolution declaring Good Friday in each year a legal holiday.

Herein follows the letter from Mrs. Haase. Its contents bear thoughtful consideration:

CLINTON, IOWA, *April 7, 1959.*

Mr. LEN WOLF,
*Honorable Congressman,*
*House of Representatives, U.S. Congress,*
*Washington, D.C.*

DEAR MR. WOLF: This letter is a request for your help to make Good Friday a legal national holiday.

Undersigned is a naturalized citizen having come from Germany. I embrace the Lutheran faith.

I dearly love this land and its Constitution. It is built on Christian principles. In fact we call ourselves a Christian nation preserving Christianity for the world.

This is a noble ambition and so I risk to ask my Government to make Good Friday a legal holiday. We have Christmas, Easter, and Pentecost. These three are our big Christian festivals. They fall on a Sunday and are automatic holidays.

As Christians we cannot have Easter without Good Friday. That is the most important day in our faith. America with all its blessings should take time to go with Christ to Golgatha, take full part in Christ's death. Give the people this day for consecration and really be prepared for the glory of Easter, after the darkness of Good Friday.

In Germany, it was a solemn day. Families partaking in the Lord's Supper and all work resting.

Here we are getting more aware of the holiness of the day. Many employers give their employees time off for church attendance. This is very nice—but I love to ask our Government for a proclamation to elevate Good Friday as a legal national holiday.

It would give our country a good standing in the world, as a Christian Nation, we are obligated to observe Good Friday in this measure. Surely there be many blessings for every citizen in this observation.

Mr. WOLF, I thank you for help you could give this plea. I am positive it has your personal approval, also of many other citizens.

May God bless you in your position in our Government.

Sincerely,

MARTHA A. HAASE.

## TO REVISE, EXTEND, AND IMPROVE THE UNEMPLOYMENT INSURANCE PROGRAM

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the speed with which H.R. 5640 passed in the House was not only motivated by the need for extending temporary unemployment compensation beyond April 1, when the emergency program was due to end. It was recognition of a continuing problem that could become chronic.

With the recession of last year behind us, insofar as production and profits are concerned, it was expected that this improvement would be reflected in a sizable reduction of unemployment totals.

The large number of people who are out of work is a matter of deep concern to the Congress. As our work force is steadily increasing on the one hand, while the introduction of automation is shrinking the number of job opportunities, we face a widening gap that must be closed, if we are to avoid the burden of heavy unemployment in this country.

A reduction in the standard workweek but without reduction in pay, in order to spread employment opportunities, may be the required solution. Meanwhile, improvements in our unemployment compensation system are necessary to provide support for the displaced workers in our economy. We understand management's need to concentrate on production and profits. The object is to produce more goods with fewer workers. Automation has come along fast in 1957 and 1958. This has resulted in rising business activity that does not absorb the unemployed.

It, therefore, becomes the public responsibility, through the cooperation of the Federal Government and the States, to provide compensation for the unemployed to a greater extent than before, in the hope and the expectation that our growing economy will open up more job opportunities.

This is our major national problem. Until such time as private enterprise, with an assist from Government, can generate a sufficient volume of activity to create jobs, we have no alternative but to extend and increase unemployment compensation.

We cannot maintain our leadership if we resign ourselves to a split-level society in which the large majority of our people enjoy high wages, high profits, and a high standard of living while 4 or 5 million adults are excluded from the opportunity to earn any income whatsoever.

The pressures and tensions inherent in this contradiction would seriously weaken our society because unemployment of this scope is both inhuman and wasteful.

The present hodgepodge of unemployment compensation systems in the various States, resembles structures that were built without design. They encourage divisive competition among the States and encourage the migration of industry with its disorganizing effect upon industries, workers, and communities.

The plain fact is that the Federal-State unemployment compensation system has not evolved with the times. It did not anticipate automation and its effects upon the labor force. It has not caught up with the realities of today. Restrictions in the laws kept a padlock on the $7 billion in unemployment reserve funds during the recession. Some groups of hired farm laborers, 1.8 million employees in small firms, and others, have no protection whatever under the present jobless aid laws.

One of the most serious defects is that dependent benefits are provided in only 11 of the States. The failure to make any distinction between the needs of the single person who is unemployed, and the unemployed family man who has many mouths to feed, is both shocking and tragic. There is no excuse whatsoever for this appalling neglect.

To achieve permanent Federal standards and supporting State legislation, it is necessary for the Congress to be guided by experience in the field which points to the following needs:

First, that coverage should be expanded.

Second, that the maximum duration of benefits should be increased to 39 weeks.

Third, that the maximum of benefits payable under the law shall be an amount equal to at least two-thirds of the average weekly wage earned by employees within the State, or an amount—exclusive of dependents' benefits—equal to one-half of such individuals average weekly wage, whichever is the lesser.

Fourth, That an equalization fund shall be established to reduce the excessive costs of jobless insurance in those States that are suffering from heavy unemployment because of national economic conditions.

Fifth, that the duration of benefits should be further extended in those States whenever the average unemployment within those States is in excess of 6 percent.

Much distress and bitterness have been caused by the overly strict and punitive requirements as to eligibility for benefits. Because an employee is partly at fault, is no valid reason why he and his dependents should be cut off completely from benefits.

It is advisable to moderate these requirements so that compensation may be denied in such State to any otherwise eligible individual only under the following circumstances:

For the first week of unemployment occurring within the benefit year.

For a period not in excess of 12 weeks immediately following the week in which he has been found, after an opportunity for a fair hearing, to have obtained, or to have sought to obtain, compensation by fraud, or willful misrepresentation of material fact.

For a period not in excess of 4 weeks immediately following the week in which he left suitable work without good cause, or refused to accept suitable work without good cause, or was discharged for misconduct in connection with his work.

Repeated renewals of the Temporary Unemployment Compensation Act meet the problem on an emergency basis only. They are not concerned with the basic improvement of the program through the addition of Federal benefit standards.

In drawing your attention to my bill, H.R. 175, to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes, I want to emphasize the fact that the Federal unemployment compensation program, to succeed in its purpose, must be brought up to date.

## FOREIGN CLAIMS SETTLEMENT COMMISSION

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, the House of Representatives has often been called the greatest deliberative body in the world. Perhaps most Americans would agree with this appraisal but there are some who would not—and with good reason.

Among those who have cause to question the deliberative capacity of this body are the American soldiers who fought and bled in Korea, who were captured and brutally treated by the Communist enemy, only to return to this country to be branded traitors by an incompetent and dishonest governmental agency.

Mr. Speaker, Public Law 615 of the 83d Congress was enacted to compensate, in some small measure, our Korean prisoners of war for the shocking treatment they received at the hands of their Communist captors. In effect, the only condition for eligibility was that a POW could not knowingly and without duress have collaborated with the enemy.

The manner in which Public Law 615, 83d Congress, has been administered by the Foreign Claims Settlement Commission is a national disgrace. Members of the Commission and of the Commission staff have told me that they are thoroughly ashamed of the arbitrary and obnoxious procedures which not only have denied benefits to those eligible but have branded these applicants as traitors to their country to boot.

It may interest this deliberative body to know that, at least in one case, benefits were denied a claimant on the basis

of collaboration with the enemy without the claimant being given even the semblance of a full and fair hearing. This case involves a former constituent of mine, Joseph Hammond, who is now a resident of Whittier, Calif. For those interested, his Foreign Claims Settlement Commission claim number is K–251435. Decorated for bravery and for severe gunshot wounds, Hammond received an honorable discharge from the Army upon his repatriation from a North Korean prisoner camp. But the Foreign Claims Settlement Commission, on the basis of secret and secondhand information which was never shown to Hammond, decided that he had sided with his Communist captors.

This story has been told many times, Mr. Speaker. I have repeated it here on the floor for the past 4 years with little more than a murmur of interest from the House committee which has the responsibility for reviewing the activities and affairs of the Foreign Claims Settlement Commission. The story has also been told in a nationally circulated magazine by a respected author who continues to be shocked and disillusioned by the callous indifference of the Claims Commission and the Congress to which it is responsible.

As I said before the Easter recess, Mr. Speaker, I plan to continue the airing of this grisly situation, however long it may take, until such time as the Congress acts to protect the dignity and rights of these men who fought so hard to safeguard freedom for all Americans.

## MOBILE COUNTY v. SOUTHERN FURNITURE CO., INC.

The SPEAKER laid before the House the following communication:

The Clerk read as follows:

HON. SAM RAYBURN,
*Speaker of the House of Representatives,*
*U.S. Capitol,*
*Washington, D.C.*

DEAR MR. SPEAKER: Arthur Perlman, an employee of the House while conducting an investigation at my direction and on behalf of the Committee on Government Operations in Mobile, Ala., has been served with the enclosed subpena.

I am also enclosing a memorandum of relevant precedent prepared at my request by committee counsel.

Due to the fact that the presence of Mr. Perlman is requested in Mobile on Thursday of this week, I have caused a letter to be sent to the clerk of the Mobile court, a copy of which is enclosed.

Mr. Perlman will do nothing further in this matter unless expressly permitted by a resolution of the House.

Sincerely yours,

WILLIAM L. DAWSON,
*Chairman.*

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

MOBILE COUNTY,
*State of Alabama:*

GRAND JURY CASE NO. 106

*To Any Sheriff of the State of Alabama, Greetings:*

You are hereby commanded to summon Mr. Arthur Perlman—Battle House—duces tecum to bring him to the grand jury any and all statements taken by him and any and all documents in his possession in connection with condemnation case of *Mobile County* v. *Southern Furniture Company, Inc.*, if to be found within your county, at the instance of the State of Alabama to appear before the Circuit Court of Mobile County, Ala., on the 16th day of April 1959, at 10 o'clock a.m., and from day to day thereafter until discharged, to give evidence and the truth to speak before the grand jury of said county, concerning certain matters to be investigated by said grand jury.

Attest:

JOHN E. MANDEVILLE,
*Clerk, Circuit Court, Mobile County, Ala.*

Grand jury room, second floor, new courthouse.

The SPEAKER. The letter and subpena will be printed in the Journal.

## ROBERT A. TAFT MEMORIAL DEDICATION CEREMONIES

Mr. REECE of Tennessee. Mr. Speaker, I offer a resolution (H. Res. 243) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That there be printed as a House document, will illustrations, the proceedings in connection with the dedication ceremonies of the Robert A. Taft Memorial on April 14, 1959.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## BITUMINOUS COAL INDUSTRY

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 30 minutes.

Mr. BAILEY. Mr. Speaker, it is no secret that the bituminous coal industry has been in a relatively poor condition since the end of World War II. This is a basic and indispensable industry and one upon which we must depend for most of our energy requirements for the future. This would be particularly true in event of a third world war. Yet, production of bituminous coal last year was only around 400 million tons, a decline of 100 million tons below 1957. Coal's earnings are among the lowest of any major industry.

The coal industry is trying to help itself. Recently, the coal producers, the United Mine Workers of America, the coal carrying railroads, coal equipment manufacturers, and coal using electric utilities organized the National Coal Policy Conference, whose objectives are the advancement of the interests of coal. Action by an industry on such a broad front is, to my knowledge, without precedent and is most heartening.

The conference is sponsoring a dinner at the Statler Hotel on the evening of April 27 to which all Members of Congress have been invited. The theme of the dinner is the need for a national fuels policy.

I am hopeful that all Members of the House who can do so will attend this dinner. In making this statement, I realize the conditions under which Members work and the incessant demands upon their time. Yet, your presence would show your keen interest in the welfare of one of our major industries; it would be most appreciated by the leaders of the conference. Also, the welfare of the railroads is closely related to the welfare of bituminous coal, since coal is the biggest and most important single item which the rails carry. The decline in coal consumption during the past several years has hurt the railroads, and they are keenly interested in the volume of coal which is mined and consumed.

More important is the contention of the leaders of the coal industry that a national fuels policy should be drafted and put into effect without delay. They say we have a gas policy, an oil policy, an atom policy, but no policy which takes into account our fuel resources as a whole and their use to the best advantage of the country from the standpoint of national security and the national economic stability.

Among the speakers at the dinner on April 27 will be John L. Lewis, president of the United Mine Workers; Howard E. Simpson, president of the B. & O. Railroad; Philip Sporn, president, American Electric Power Service Corp., of New York. George H. Love, chairman of the board of the Consolidation Coal Co., of Pittsburgh, and long a leader in coal, will preside. Mr. Love is chairman of the coal policy conference.

I am informed that the speeches will be brief and to the point. This, as I see it, is not just another dinner, but a meeting at which we can get the point of view of a major industry on a subject of major concern to all of us. I urge all of you who can to be there.

I think my colleagues in the House, should approve promptly the action taken in the Senate in setting up an emergency Commission on Unemployment.

This commission is of an emergency nature and contemplates finding facts on which to base emergency legislation to provide for relief in many areas of our Nation where chronic unemployment exists. The time allotted the commission, limited to 60 days, clearly indicates that no long-term program of permanent relief is planned.

This brings to the forefront the question of what Congress should do and must do to protect one of the Nation's major sources of fuel by setting up the necessary legislation to provide for extensive research into the possibility of finding new markets and new uses for our plentiful supply of bituminous coal.

Successful coal research would mean prosperity for West Virginia and other major coal producing States for the next hundred years. If adopted, it would be of more material good than any other program aimed at improving my State's economy.

Coal research has been and is presently under the control of the Bureau of Mines in the Interior Department. Despite the fact that this Department has up-to-date facilities, for research, worthwhile results have been limited. This brings to the forefront the question of whether an independent commission, for which the Government would provide separate appropriations, would be more effective and get more prompt results than to continue this program under the

Interior Department, subject to the vicissitudes of politics and the ambitions of those who hope to gain political preference.

In order to hear an unbiased approach to what is the best policy to pursue, you can be assured that the banquet speakers at the Statler Hotel on the evening of April 27 will go into every angle of the problem of saving an industry essential to our prosperity and necessary to our national security.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I wanted to thank the distinguished gentleman for all he has done for the textile industry in the way of protection, and I should like to help his coal industry, also.

Mr. BAILEY. Mr. Speaker, I thank the gentlewoman.

## HON. CLARE BOOTHE LUCE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the remarks I made regarding the Honorable Clare Boothe Luce's appointment to Brazil may be placed with the remarks I made concerning Pan-American Day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## THE IMMIGRATION AND NATIONALITY ACT

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. ADDONIZIO] is recognized for 10 minutes.

Mr. ADDONIZIO. Mr. Speaker, nearly 7 years have passed since our immigration and nationality laws were codified in the McCarran-Walter Act. I opposed that legislation when it was being considered by this House in April of 1952. I opposed it because I disagreed with the basic philosophies upon which it was founded.

In voicing my opposition to the bill at that time, I stated that "it is not always easy, in times such as these, for an honest man to cast his vote in this House with the comfortable certainty that time will prove that he made the right choice." I was confident then that my position was right. I am absolutely certain now that it was and that time has proven it so.

I have introduced legislation to amend the Immigration and Nationality Act in every Congress which has convened since it was enacted. This year I introduced H.R. 315—basically the same bill I introduced in the 84th and 85th Congress. I am proud to say that this is a companion bill to H.R. 16 introduced in this session by the chairman of the Committee on the Judiciary, one of the most untiring champions in the cause of humanizing our immigration policies that I know. A number of other members have joined me in sponsoring the same bill since it was first introduced as the Celler-Lehman bill in 1955.

This bill would correct many of the injustices that exist in our present immigration system and would at the same time improve the system's administration. The most important change the bill would effect would be the elimination of the national origins quota system as the basis for determining whom among the peoples of the world we are to welcome as immigrants.

A plethora of words have been uttered in the past 35 years on the subject of our national origins quota system, by its advocates as well as its adversaries. I shall not add to this superabundance beyond stating that in my opinion the national origins quota system is a vestigial holdover of a discredited theory of racial superiority and inferiority. Many of us thought that we were fighting to rid the world of threats from a similar theory propounded by the Third Reich during World War II.

I would make only one other observation concerning our present quota system. This is that during these times, when we are striving to win over and hold in our camp the peoples of the uncommitted and underdeveloped areas of the world, this problem assumes larger proportions. For these are the very people we are slapping in the face with our national origins selections. It is the peoples of the young burgeoning nations, the newly emancipated countries, of Asia who bear the brunt of the most extreme discrimination in our present law—the Asia-Pacific triangle restrictions. We provide them not only with special restrictions but also with ancestral ones. Truly, it seems to me, we have singled out these people and said to them, "You are the most undesirable of mankind. Do not enter and corrupt our society." The time for a judicious reappraisal of this policy has long since passed.

In place of the national origins system, the bill I introduced would provide for a unified quota system which would promote the general welfare both internally and in our dealings with other nations. The mechanics of this new proposed system have been explained sufficiently before that I feel I need not discuss them at this time beyond outline form.

The bill provides for the distribution of quota immigrant visas without regard to race. If enacted it would be the first time since we first adopted a quota system that the distributions were so made.

Visas would be distributed according to a system of five preference classes of aliens, which include, first, family reunification class; second, occupational class; third, refugee class; fourth, national interest class; and, fifth, resettlement class. These terms are all self-explanatory, I think, except the national interest class, which includes peoples who would advance the national interests of the United States by strengthening areas of the free world that would be assisted in alleviating their own problems by the emigration of some of their people.

An unfair distribution of visas is guarded against by providing that no more than 15 percent of the visas available within any of the preference classes could go to any nation.

The total annual quota would be set permanently at 250,000. The percentage distribution of visas among the five preference groups would be made by the President each year, subject to the confirmation of Congress. In this way we would be assured of having an immigration policy which is current with existing conditions, so that visas would be issued to the various classes according to our domestic and foreign policy needs.

A number of bills other than those patterned after the Celler-Lehman proposal have been introduced in recent years to alleviate the rigors of the national origins quota system. These bills would provide for the pooling and redistribution of unused quotas. President Eisenhower has sent repeated messages to Congress advocating such a plan. If this were the best improvement that could be hoped for, I would support such a change. In essence, however, this would not correct the basic fallacy which eventually would have to be faced. If we are going to do anything at all we should remove the fallacy itself by doing away with the national origins principle.

There are a thousand other technical difficulties involved in eliminating all of the objectionable features of the Immigration and Nationality Act. There is the need for more adequate procedural safeguards in the granting or withholding of visas and in exclusion and deportation proceedings. There is the subject of judicial review. I do not intend to enter into a discussion of these many issues today. My purpose in speaking today is merely to draw the attention of this House to the fact that the need to improve our immigration policies is still with us—indeed it is more pressing than ever.

Most of the problems I mentioned have been carefully examined and provisions made for them in the bill I introduced. Many of the provisions of my bill are based upon the recommendations of the President's Commission on Immigration and Naturalization. This Commission, which was appointed by President Truman after the Immigration and Nationality Act was passed over his veto, made a thorough study of our immigration policies. It conducted extensive hearings throughout the country and heard scores of our most eminent leaders in the fields of religion, labor, and Government declare that those policies were outmoded and unjust. I would recommend as further reading to anyone interested in these basic issues the Commission's hearings and its report entitled "Whom We Shall Welcome."

When I think of the need to rid our immigration laws of the discriminatory racist provisions of the national origins quota system, I cannot help but think at the same time of a statement by Abraham Lincoln. I was reminded of this statement recently as it was quoted again by numerous speakers on the occasion of Lincoln's birthday. In the year 1855, Lincoln wrote to a friend:

> As a nation we began by declaring that "all men are created equal, except Negroes." When the know-nothings get control it will read "all men are created equal except Negroes and foreigners and Catholics."

When it comes to this, I shall prefer emigrating to some country where they make no pretense of loving liberty.

There is no excuse for not taking up the issue of immigration during this session of Congress. We must not delay any longer in putting the wheels of the legislative process into motion so that we may see done that which cries out to be done. I urge prompt action on this essential measure.

## OIL IMPORT CONTROL PROGRAM

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, I want to say frankly to my colleagues that the complaints that have been made in Congress against the White House Oil Import Control Program are very disappointing to the people of West Virginia. From the time that I entered Congress 10 years ago, I have appealed for legislative protection against the foreign residual oil that has invaded the fuel markets of the east coast, displaced more than a quarter billion tons of bituminous coal in the interim, brought unemployment and poverty to coal and railroad communities throughout the Appalachian region, and made a mockery of competitive enterprise.

The President's order to place a lid on residual oil imports was taken as a security measure. The administration finally concluded that it is folly to depend upon an overseas source of oil supply at a time when the most vehement threats—complete with sound effects produced by the rattling of sabers—are being broadcast worldwide from Moscow and Peiping. Holding residual oil imports down to the level specified under the White House decree will protect at least a good portion of the coal production capacity that, in an emergency, would be required to substitute for the alien fuel now being consumed in east coast markets.

The West Virginia congressional delegation worked hard to convince the executive department of the need for a limitation of residual oil imports. We accept the White House order even though it is entirely inadequate from the standpoint of our State's economy. We have shown the need for enactment of a quota on residual oil imports. We shall continue to stand in support of this measure. Meanwhile, I challenge the statements of those isolated voices who have objected to the mandatory control program. I am convinced that insufficient thought has been given to the defense implications of the program, else no patriotic American would be willing to risk continuation of the policy that gave Open Sesame to international oil shippers at the expense of our vital domestic fuel industries. A study of our projected fuel requirements in a period of hostility will disclose ample reasons for the President's fear that further economic injury to the coal industry would constitute national danger.

I want to say to my friends who object to a holddown on residual oil imports that I resent your unsympathetic attitude toward American workers who have lost their jobs because some of your electric power stations and industrial plants have been able to buy energy a little cheaper from tankers hocking a foreign product at our east coast ports. If you would but review the pricing tactics of the important companies, I am quite certain you could not tolerate furtherance of the practice. In the 10-year period prior to 1959 residual fuel oil prices have varied from an annual average of $1.89 per barrel to an annual average of $3.08 per barrel, not in synchronization with general business fluctuations but geared only to undersell domestic fuels. We talk about competitive enterprise, and we enact laws to deter individuals and corporations from interfering with or destroying the spirit and operation of this system. There is no competition in a market where a commodity produced in a foreign country without a price tag is permitted to be unloaded in whatever quantity and at whatever price the international marketer decides upon.

Congress has heard these figures before, but I nevertheless want to reiterate a few facts that will explain what has happened to a large segment of the 4½ million unemployed American workers. When residual oil imports reached a level of 74 million barrels in 1949, a Senate committee, whose membership included the late Senators Neeley and Taft, set out to determine the actual economic effect of this alien product on U.S. jobs. The committee learned that the economic distress imported from the refineries of Aruba and Curacao not only affected miners in West Virginia, Virginia, Pennsylvania, Kentucky, and Ohio, but that it also extended to railroad workers, to suppliers, equipment manufacturers, and even to the banks and small business houses in all of these areas. Today those 74 million barrels have been more than doubled, aggravating the hardship and depriving hundreds of thousands of workers of an opportunity to earn a means of livelihood for themselves and their families.

At hearings on depressed areas by a Senate committee in Morgantown, W. Va,. last month, the managing director of the Morgantown Chamber of Commerce testified that Monongalia County suffered a 28-percent decline in coal production in 1958. Mr. James R. McCartney explained that this loss resulted in unempoyment for 2,000 coal miners, and he attributed excessive residual oil imports as the primary reason for the decrease in coal demand. It is interesting to note that Mr. McCartney also presented figures emphasizing the drastic losses suffered by the American glass industry as a consequence of the unfair competition originating in lands far away where wages are but a small percentage of those for identical work in this country. I mention this portion of Mr. McCartney's testimony because I think it should be in the RECORD. One of these days Congress is going to assume a more realistic approach to the unemployment problem in this country. Ultimately even the most vociferous free-traders will be forced to concur in a tariff program that will give the American manufacturer and worker at least a fighting chance at economic survival.

Let me remind you, Mr. Speaker, that our desire for a modicum of protection against excessive imports is not in any way intended to oppose a vigorous international trade program. We hope that labor forces in other parts of the world will eventually attain the standard of living to which every human being should aspire. If and when that objective is realized, free trade will be practical and certainly most desirable. Meanwhile, no country can logically be expected to admit vast quantities of products that are not needed and in fact tend to be destructive of the importing nation's economy.

We hope and pray for the continued improvement of living standards elsewhere in the world. We have contributed vast sums of money and materials to scores of nations in an effort to stimulate their economies. American capital has explored business opportunities in the far reaches of the globe; new industrial plants have thus emerged in the most backward areas to bring jobs and manufactured products within easy reach of the natives.

I was interested in the April 3 announcement that the southern Italy development fund is planning to borrow $30 million in U.S. dollars through the sale of Republic of Italy guaranteed external loan bonds. Of the total, $20 million will consist of 15-year sinking fund bonds to be offered publicly through Morgan Stanley & Co. Concurrent with the offering of the bonds, the World Bank and European Investment Bank are entering into loan agreements with the issuer, known as Cassa per il Mezzogiorno. These transactions are encouraging, Mr. Speaker. American investors appreciate an opportunity to participate voluntarily in oversea businesses. Such relationshsips have a tendency to bring us closer together and should without question accrue to the benefit of those financially interested in projects of this nature.

As U.S. investment dollars spur economic development in Italy and in other friendly foreign countries, industrial capacity will be expanded and more goods made available, not only in domestic trade, but also for export. Many of the products not now easily available in the United States will be purchased here. We welcome this prospect. Our only qualification is that a reasonable tariff and quota system be utilized to provide a mutually favorable balance. In the case of the residual oil that has inundated our markets, stockholders of the oil companies and the ruling regimes of producing and refining countries have been the prime beneficiaries.

I think you will agree that West Virginians are extremely fair in their attitude toward international trade policies. To ask us to endure prolonged periods of unemployment and depression merely to appease the selfish interests of a small group is eminently unfair. And, once again, I remind all of my colleagues that any program short of the provisions of the White House order would invite national catastrophe.

## SELF-RULE FOR THE DISTRICT OF COLUMBIA

Mr. MORRIS of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. ASHLEY. Mr. Speaker, more than a month ago 21 Members of this House from both parties, of diverse political views and from diverse parts of the country, joined to sponsor legislation to restore the government of the District of Columbia to the people of the District. Four weeks ago we were told by the chairman of the District Committee that there would be hearings on this legislation in this session. But the chairman also said he sees no "urgency" in this matter. And the chairman of the subcommittee to which the bills were referred said he has made no plans for hearings. Two more weeks have passed and we have heard no more about these hearings.

This legislation has passed the other House four times in a decade, only to die because the District Committee failed to hold hearings. Under the circumstances, I think the lack of any sense of urgency or of any plans in the committee are difficult to understand. After 10 years of delay, I think there is some urgency and there should be some plans. It is a fact that a majority of the Members of this House want an opportunity to vote on this legislation. It is a fact that home rule is a part of the official platform of both parties, endorsed by the incumbent Republican President and by his Democratic predecessor. When given the opportunity, the people of the District have asked for home rule by large majorities. In the Democratic primary of 1956, nearly 80 percent of the voters favored it. In a Republican poll conducted by mail recently, I understand two-thirds were for it. Surely the District Committee deserves a chance to consider this legislation and this House deserves a chance to vote on it—and, above all, the people of the District deserve a chance to govern themselves.

But opponents argue that the Nation's Capital must have the close and careful supervision of Congress. Of course, home rule does not in any way challenge the supervision of Congress. It does take Congress out of the business of playing alderman. But has Congress done such a good job that we do not dare turn it over to the people? Look just at the recent record.

The District Subcommittee of the House Appropriations Committee, conscientious and busy men with constituents and duties of their own to take care of, spent its valuable time in recent hearings on such important topics as leaks in the roof of the District morgue and the equipment of a new fireboat for the Fire Department. When the District appropriations bill came to the floor, a grand total of 28 out of 436 Members of this House were present to debate and vote on it. Is that the kind of close congressional supervision the District cannot do without? Congress should not have to spend its time checking on plumbing, the streetlights, and the fire equipment of the District. This House demonstrated, in the so-called debate on the District appropriations, that it does not want to and will not take its time for serious consideration of District matters—even those that are very important to the District, if not to Congress.

It seems to me demonstrably absurd, therefore, to argue that Congress must govern Washington because it is the Nation's Capital. Congress not only does not have to do so—it does not do so. It is overwhelmingly clear that Congress does not want to. And, if we are given a chance to vote on it, we will prove it by turning over municipal government to the people who are governed, who pay the taxes, and who do care enough to do the job.

The condition of the District is an eloquent demonstration of the kind of government it now has—and, if I may be pardoned for calling a spade a spade, it is carpetbag government—we are the carpetbaggers.

The chairman of the subcommittee who has not made any plans for hearings on home rule is, in spite of that, one of the most eloquent critics of the condition to which the District has come under congressional rule. No one could be more critical than he has been. And whether one agrees with his criticisms or not, there are plenty we can agree on. The District Commissioners, a few weeks ago, presented a report on the state of the District which is full of evidence that Washington is a city in trouble. Much of the same evidence was in an article in the Kiplinger Changing Times magazine last October. The downtown business area is making steady progress—downhill. While we founder in indecision and redtape about slum clearance, the slums keep on growing. City services deteriorate, the schools are starved for adequate funds, and as a result, people who can afford it move to the suburbs. People who cannot afford to move stay here. And the tax resources of the city shrink accordingly.

This is a vicious circle. There is no easy way out of it for Washington, any more than for any other city with acute urban problems. But we, the Congress, who supposedly must run the municipal affairs of the Capital because its citizens cannot be trusted to do so—we have certainly not found a solution. Why then, should we not give the people themselves a chance? They live here, not us. If Washington is to be a Capital to be proud of, there must be a change—there must be a vigorous local government, endowed with the authority of local election and the solicitude of local residents. These people care, because this is their home. We haven't done the job; why not let them try?

It is hard to see an argument against home rule. Are we really afraid, in the Capital of American democracy, to try such a dangerous experiment as a little local democracy? Our Capital is not only physically an increasingly shabby example for our Nation. Morally, it is an even worse example. Washington, our National Capital, is the one city, in this democratic country, where we repudiate democracy.

The legislation before this House is not dangerous or radical legislation. It simply proposes to restore the local self-government that is the oldest tradition of the Nation's Capital—a tradition that obtained from the earliest days for three-quarters of a century and which was taken away by Congress in the 1870's. At the same time, it amply safeguards the Federal interest. Not only does it provide for a congressional veto over municipal action; it provides also for a Presidential veto; and on top of that, it provides for an appointed, not an elected, mayor. If we are really afraid to grant so modest a taste of democracy to the people of Washington, we must indeed be deathly afraid of democracy. Is that a verdict we want to accept?

I do not. I want to let the people of Washington run their own business. I believe most of the Members of Congress who obviously aren't doing their job as aldermen would like to turn the job over to the people of Washington, who can and will do it.

To do so, in view of the facts, is a piece of elementary common sense. It is also an act of justice and fair play to the people of the District. And I think it is very plain what the people of this country, our constituents, want us to do. The press all over the country is increasingly commenting, and critically, on our failure to act. I would like to insert, at the end of my remarks, a summary which appeared in the Washington Post and Times Herald, of 21 editorials, from 16 States, as evidence of national sentiment for restoring democracy to the District of Columbia. In doing so, let me add that I believe the preponderant sense of this House is that there is an urgency about this matter, that we have delayed far too long, and that this year we will act to return to the people of Washington at least this limited right to govern themselves.

[From the Washington Post and Times Herald, Mar. 25, 1959]

### PRESS IN 16 STATES CALLS FOR HOME RULE IN THE DISTRICT OF COLUMBIA

A total of 21 newspapers in 16 States have urged home rule for the District in recent editorials.

Urging Colorado Congressmen to fight for home rule here, the Denver Post said: "The undemocratic situation in the National Capital is a reproach to our whole political system, and all of us have a stake in correcting it."

Other newspapers cited the District as being a flagrant example of taxation without representation and the denial of government by consent, according to editorial excerpts released yesterday by the Washington Home Rule Committee, Inc., 924 14th St. NW.

Editorial excerpts on the home rule issue follow:

Honolulu Advertiser: "The District of Columbia ought to have the right to vote. When those folks talk about second-class citizenship, it should fall on sympathetic ears and stir sympathetic hearts in these parts. They don't have a delegate to Congress, not even a voteless one. They don't have a Governor, not even an appointed one. They don't have a legislature, not even

a Territorial one. They pay taxes without representation."

Glens Falls (N.Y.) Post Star: "We wonder if Congress will be able to drag its eyes from the far horizons this year long enough to see the example of homerulelessness at its very feet. We mean Washington, D.C. There's an old saying that he who dances must pay the piper. Washington taxpayers pay the piper. They just don't get a chance to dance."

San Francisco Chronicle: "The approval of the District Committee in the House is needed, and we earnestly urge that it be given.

"The rest of the country well knows that home rule has been denied to Washington, D.C., all these years because past Congresses insisted on fighting the Civil War again there. But the conscience of the country cannot permit this travesty of democracy in the center of world leadership of democracy."

Hartford Courant: "The voteless status of the inhabitants of the Nation's Capital has long been one of the anomalies of our system. Self-government is assumed to be the right of every organized community in the Nation, yet at the heart of National Government there exists a city lacking this fundamental right. Citizens rightfully claim that it is taxation without representation."

New York Herald Tribune: "Naturally, the 850,000 dwellers in the District—one hesitates to call them citizens, though of course they are—are hoping that the entry of the new States will give some impetus to their own petition for better treatment.

"Why does Congress cling to this ridiculous system? The answer is that a small group of Southerners in the District Committee of the House of Representatives, wishing to keep matters of racial policy in their own hands rather than turning them over to the local inhabitants, has persistently bottled up the necessary legislation."

Christian Science Monitor: "Major resistance to home rule for Washington has stemmed from the fact that a large part of the city's potential electorate is colored. In fact, with growth of residential suburbs in Maryland and Virginia, recent surveys indicate that Negroes form over half the population of the Federal District. Yet few would seriously advocate that Harlem in New York City or the South Side of Chicago should be disfranchised."

Denver Post: "Since the people of Washington have no representatives of their own in Congress, they are dependent on the rest of us for help in getting their bill to a stage where it can be voted upon.

"The undemocratic situation in the National Capital is a reproach to our whole political system, and all of us have a stake in correcting it.

"We hope Members of Congress from Colorado will do whatever they can to aid in the fight to get this bill out of committee so it can pass."

St. Louis Post-Dispatch: "Surely the American people do not send representatives to the Senate and the House to do the chores of aldermen. This nonsense would be ended by a bill which would relieve Congress of these District affairs just as it has been relieved of such responsibilities in the Territories. A referendum would be held, giving the people of the District a chance to accept home rule in the form of a Territorial government. If they did, an economical and efficient local government would be set up under an appointed Governor and an elected 15-member Assembly. Certain functions which properly are the Government's would be excluded from the Assembly's authority. This represents a compromise hardly to be avoided, but it would not keep the people of the District from managing those affairs which are truly their own."

Oregonian, Portland, Oreg.: "The absurd position of Washington, D.C., as the undemocratic capital of the world's largest democracy, is underscored by the fact that the 'mayor' of the capital city is a Nevadan whose interests and constituency are thousands of miles away."

Minneapolis Tribune: "The proposed legislation still would not be full enfranchisement of the people of the District. But it would finally give more than 850,000 Americans the right to rule themselves in local matters. It would provide a more efficient government for the city. It would relieve Congress of the task of handling the details of District affairs. It would be a logical followup to Congress' action in voting statehood to Alaska and Hawaii."

Farmington (N. Mex.) Daily Times: "Now that action on Hawaii is completed, perhaps Congress can find time during its present session to do something about the plight of another group of Americans who, in a sense, are citizens in name only.

"The frustrated citizens of Washington have our complete sympathy. Aside from the principle involved, it seems slightly ridiculous for Congressmen to be spending their time worrying about Washington fire, police, sewage and street problems, etc., when other far more critical issues of national import await decision.

"If support from this corner will do the Home Rule Committee any good, the committee has it."

St. Petersburg (Fla.) Times: "Quite apart from the paradoxical injustice of nearly a million American citizens living right in the seat of the world's greatest democracy without a scintilla of self-government, there's another good reason why the rest of us should demand that Congress put an end to this 75-year-old situation.

"That is to get rid of the piddling city council functions which Congress must discharge as long as it refuses to give the District self-government."

St. Paul Pioneer Press: "Minnesotans last year strongly endorsed the principle of home rule by adopting a constitutional amendment permitting towns, cities and counties greater control over local affairs.

"In view of this approval, it would seem that the great majority of Minnesotans, if not all, would support extending that principle to the residents of Washington, D.C. The 850,000 persons who live in the District of Columbia now have no voting privileges and no voice in the conduct of their city's affairs."

McClatchy Newspapers of California: "Governments derive their just powers from the consent of the governed. This basic principle of American Democracy was set forth first in the Declaration of Independence.

"But where is one of the most flagrant violations of this principle to be found? In Moscow? In Peiping? In Warsaw?

"Unhappily it is right in the Capital of the United States whose permanent residents have been voteless for the past 79 years."

Milwaukee Journal: "The bill died in the House. But it is being offered again. It deserves passage. It is not a perfect plan, but it is the best that Congress is apt to accept. Washington has home rule coming. It has a right to run its own local affairs. Congress needs to get rid of the burden of running a local government."

Oil City (Pa.) Derrick: "A bill to grant home rule to the people of Washington is pending in the Congress. It should be approved without delay."

Springfield (Mo.) Leader and Press: "Washington is unique among American cities, most cities in the world, for that matter. It is not self-governing, but is governed by the U.S. Congress. Think about that a moment. America has been quick to reenfranchise even its conquered enemies once they were defeated—the Germans and the Japanese, to give the two most recent examples. But we deny the people of our Capital City the ballot."

Tacoma (Wash.) News Tribune: "It would be grossly unfair to deny 850,000 people the right to vote and to run their own local institutions. Residents of Washington State can do their fellow Americans in Washington City a friendly act by urging the support of their own delegation to passage of the pending necessary legislation."

Daily Pantograph, Bloomington, Ill.: "Whatever the national emergency, be it the Berlin crisis or sending troops to Lebanon, 31 Members of the House and Senate who constitute the District "city council," must take time to deal with the purely local issues of a big city. They were not elected by the people of the District, and they are not responsible to these people.

"This inefficient and undemocratic practice should be ended by granting to the people of the District of Columbia the home rule they seek and deserve.

"None of us is entirely free as long as Congress denies freedom to people of an entire area in which the National Capital is located."

Olean (N.Y.) Times Herald: "We are glad to pass this along to our readers, because we feel that there should not be a disenfranchised segment of the American population with no control over how their local tax money is spent.

"Secondly, and of importance to all of us, none of our Representatives in Congress should be burdened with the task of acting as members of the District of Columbia city council. There are too many items of national importance requiring their attention."

Burlington (Iowa) Hawk-Eye Gazette: "But Congress has little stomach, or time, for the job.

"Senator JOSEPH CLARK, a former Philadelphia mayor, for example, has announced he will no longer serve on the Washington, D.C., committee.

"Senator STEPHEN YOUNG, a newcomer from Ohio, declared: 'The people of Ohio did not elect me to be county commissioner for the District of Columbia.'

"Well, we gave statehood to Alaska, and likely will bestow it also on Hawaii. Isn't it time to give cityhood to Washington?"

## MEMORIALS OF THE LEGISLATIVE ASSEMBLY OF THE STATE OF OREGON

Mr. MORRIS of New Mexico. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I am honored to lay before the House four memorials enacted by the 50th Legislative Assembly of the State of Oregon, currently in session. I ask that these memorials be printed in full following my remarks in the RECORD.

Senate Joint Memorial 3, adopted on March 13, 1959, calls for the appropriation of adequate sums for the construction of forest access roads, and for the modernization and expansion of recreational facilities in our national forests.

House Joint Memorial 2, adopted on March 16, expresses the opinion of the legislature of my State on the recurring question of Federal aid to education. That memorial pierces to the heart of

the ideological camouflage which opponents of aid to education have laboriously constructed and points out that the Federal Government has a rightful obligation to the preservation of our American way of life by assisting the cause of education. I am proud that my State has taken this forward-looking position.

House Joint Memorial 4, adopted on March 17, calls upon the Congress to carry out the clear intent of Public Law 627 of the 84th Congress, to enable the existing toll-free bridge across the Columbia River between Portland, Oreg., and Vancouver, Wash., to remain toll free.

House Joint Memorial 5, enacted on March 19, calls for the President to review the possibility of additional funds for the orderly planning of further development of our great river resources, with a particular view toward expediting a solution of the fish passage problem. This particular problem is one which has held up several long-range decisions as to the best method of developing the resources of the Columbia Basin, not for the residents of the region alone, but for all the people of the Nation. Such additional funds, I sincerely believe, would be a very wise and economical investment in the future. I intend to bring the views of the Oregon Legislature and of interested Oregonians to the attention of the appropriate committees at the proper time.

I would also like to take this opportunity to express my belief that the 50th Legislative Assembly of the State of Oregon, as it begins the second century of the history of a great State, is making a great record in exemplification of Oregon's reputation as a forward-looking, bold, and imaginative frontier.

HOUSE JOINT MEMORIAL 2

*To His Excellency, the Honorable Dwight D. Eisenhower, President of the United States, and to the honorable Senate and House of Representatives of the United States of America, in Congress assembled, and to the Oregon Members of these legislative bodies:*

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas increasing school costs are imposing a steadily increasing burden upon the taxpayers of the State of Oregon; and

Whereas the present tax collection policies of the Federal Government fall heavily upon State and local sources, with little corresponding return to the State for the assistance of public school education; and

Whereas under such taxation policies the Federal Government should assume its rightful obligation to the preservation of our American way of life by assisting the cause of education; and

Whereas the Soviet Government poses a real and terrible threat to the leadership and existence of the free world through its accomplishments in the field of science; and

Whereas added financial resources will be needed by our States and local communities to enable them to maintain an educational program not only to compete with the Soviet Government in the field of science, but also to explore and solve the basic problems of living and leading in a world teetering on the brink of atomic catastrophe; and

Whereas the Federal Government has vastly superior taxing powers, and it is the announced policy of both major political parties that the Federal Government should contribute moneys to the support of local elementary and secondary education: Now, therefore, be it

*Resolved by the House of Representatives of the State Oregon (the Senate jointly concurring therein)*, That the Congress of the United States is hereby urged to provide and pass legislation giving grants to the various States on the basis of each State's school-age population, providing funds for the use of the States for the assistance of elementary and secondary public school education; be it further

*Resolved*, That the Oregon Members of the U.S. Senate and House of Representatives promote and support such legislation; be it further

*Resolved*, That His Excellency, the President of the United States, is hereby urged that he give such legislation his full support and leadership, and that he use the full influence and resources of his great office to insure the passage of this legislation; and be it further

*Resolved*, That the chief clerk of the house of representatives be and hereby is directed to send a copy of this memorial to the Honorable Dwight D. Eisenhower, President of the United States, to the President and Chief Clerk of the U.S. Senate, to the Speaker and the Chief Clerk of the House of Representatives of the United States, and to all members of the Oregon congressional delegation in the Congress of the United States.

Adopted by house February 16, 1959.
Readopted by house March 16, 1959.

RUTH E. RENFROE,
*Chief Clerk of House.*
ROBERT D. DUNCAN,
*Speaker of House.*

Adopted by senate March 12, 1959.

WALTER J. PEARSON,
*President of Senate.*

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SENATE JOINT MEMORIAL 3

*To His Excellency, the Honorable Dwight D. Eisenhower, President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:*

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the economy of the State of Oregon is largely based on timber and recreation; and

Whereas the national forests of the United States contain the key timber supply and recreational resources within the State of Oregon; and

Whereas the economy and welfare of the State of Oregon are therefore dependent upon the quality of the management of the national forests; and

Whereas sound management of the national forests requires adequate financing; and

Whereas at hearings conducted by the Subcommittee on Public Roads of the Committee on Public Works of the U.S. Senate in December 1957, in Oregon, and at other points throughout the Western States, Members of the U.S. Senate and House of Representatives, authorized officers of the U.S. Forest Service, representatives of State and local governments and knowledgeable citizens of the Western States unanimously agreed that proper management of the national forests for the most effective and efficient development of their recreational and timber resources requires the accelerated development of a permanent access road system within such national forests; and

Whereas the budget presented by the executive branch of Congress for its consideration requires appropriations for this purpose that are substantially below the sum that only 1 year ago Congress authorized to be appropriated for the fiscal year commencing July 1, 1959; and

Whereas the said budget requires an appropriation of only $8,500,000 to finance Operation Outdoors, the 5-year plan announced by the U.S. Department of Agriculture for modernizing and expanding recreational facilities in the national forests to meet the heavily increasing use made of the national forests by our citizens for recreation; and

Whereas such plans for successful completion of Operation Outdoors specifically contemplated that an appropriation of $19,500,000 would be required for the fiscal year commencing July 1, 1959: Now, therefore, be it

*Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein)*, That the Congress of the United States is hereby urged to appropriate for the construction of access roads in the national forest during the fiscal year commencing July 1, 1959, the full amount of $30 million that is authorized therefor by law; be it further

*Resolved*, That the Congress appropriate for Operation Outdoors the full amount of $19,500,000 previously agreed upon as a necessary expenditure during the fiscal year commencing July 1, 1959; be it further

*Resolved*, That the Oregon Members of the U.S. Senate and House of Representatives be asked to promote and support such appropriations; and be it further

*Resolved*, That copies of this memorial be sent to the Honorable Dwight D. Eisenhower, President of the United States; to the President and the Chief Clerk of the U.S. Senate; to the Speaker and the Chief Clerk of the House of Representatives of the United States; and to all members of the Oregon congressional delegation.

Adopted by senate March 10, 1959.

MEDA COLE,
*Chief Clerk of Senate.*
WALTER J. PEARSON,
*President of Senate.*

Adopted by house March 13, 1959.

ROBERT B. DUNCAN,
*Speaker of House.*

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HOUSE JOINT MEMORIAL 4

*To His Excellency, the Honorable Dwight D. Eisenhower, President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:*

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas U.S. Highway 99 crosses Washington, Oregon, and California extending from Canada to Mexico as a truly interstate, interregional and international highway; and

Whereas U.S. Highway 99 has been designated as an integral portion of the new "National System of Interstate and Defense Highways," commonly known as the Interstate Highway System; and

Whereas there is now no toll road, toll bridge or other toll charge anywhere along this important throughway; and

Whereas the brunt of the toll charges at the Portland-Vancouver interstate bridge would fall on workers who must daily commute to their jobs; and

Whereas section 109 of the Federal Highway and Highway Revenue Acts of 1956 (Public Law 627, approved June 29, 1956) provides in part as follows:

"It is hereby declared to be the intent and policy of the Congress to equitably reimburse those States for any portion of a highway which is on the Interstate System, whether toll or free, the construction of which has been completed subsequent to

August 2, 1947, or which is either in actual use or under construction by contract, for completion, awarded not later than June 30, 1957 and such highway meets the standards required by this title for the Interstate System. * * * It is also declared to be the policy and intent of the Congress to provide funds necessary to make such reimbursements to the States as may be determined": Now, therefore, be it

*Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein)*, That the President of the United States recommend, and the Congress of the United States enact, legislation clarifying the provisions of the Federal Highway and Highway Revenue Acts of 1956 for the purpose of having that portion of the Interstate Highway System known as the Portland-VanCouver Interstate Bridge continued to be operated as a toll-free bridge, and that the costs of improving navigation on the Columbia River and improving the existing highway be borne and paid for out of funds provided by the Congress from gas taxes and other revenues for the Interstate Highway System, and be it further

*Resolved*, That copies of this memorial be transmitted to the President of the United States, Secretary of the U.S. Senate, Clerk of the U.S. House of Representatives, and to each member of the Oregon Congressional Delegation.

Adopted by house February 25, 1959. Readopted by house March 17, 1959.

RUTH E. RENFROE,
*Chief Clerk of House.*
ROBERT B. DUNCAN,
*Speaker of House.*

Adopted by senate March 13, 1959.

WALTER J. PEARSON,
*President of Senate.*

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HOUSE JOINT MEMORIAL 5

To His Excellency, the Honorable PRESIDENT OF THE UNITED STATES:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas there is growing need in the Pacific Northwest for answers to the critical problems surrounding the passage of anadromous fish, particularly salmon and steelhead, at hydroelectric dams; and

Whereas failure to adequately finance fishery research is causing delay in the planning of dams which will be needed within a few years in the interest of national defense and economic expansion: Now, therefore, be it

*Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein)*, That we urge the President of the United States to review the situation with the hope that additional Federal appropriations may be made available through the Department of Defense or the Department of the Interior so that planning for both fish and dams may proceed in an orderly fashion; and be it further

*Resolved*, That copies of this memorial be sent to the President of the United States, all Members of the Oregon congressional delegation, and the legislative assemblies of the States of Washington, California, Idaho, Montana, Utah, Nevada, and Wyoming.

Adopted by house March 19, 1959.

RUTH E. RENFROE,
*Chief Clerk of House.*
ROBERT B. DUNCAN,
*Speaker of House.*

Adopted by senate March 27, 1959.

WALTER J. PEARSON,
*President of Senate.*

## IS THERE INEQUITY INVOLVING PENSION RIGHTS OF THE WIDOWS OF JAPANESE PRISONERS IN WORLD WAR II?

Mr. MORRIS of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LEVERING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LEVERING. Mr. Speaker, I have recently received a most interesting letter from Dr. H. W. Glattly, of the Prosthetics Research Board, National Academy of Sciences, National Research Council, in Washington, relating to possible inequities involving the pension rights of the widows of veterans of World War II who were prisoners of the Japanese during that great conflict.

As a prisoner of war, although as a civilian volunteer, I spent 3½ years in Japanese military prison camps, Mr. Speaker, and I know that the dietary needs of the natives of the Far East are very different from those of a native of North America. I was on the burial detail on many occasions in Camp O'Donnell and at Cabanatuan, and I can testify to the fact that hundreds of our fighting men died of sheer starvation, and that thousands of them returned to their homes with disabilities suffered from protracted hunger—and from which they will never completely recover. As Dr. Glattly points out, the death rate of those Westerners subjected to the Far East minimal diet for long periods of time has been unusually high, compared with the death rate of prisoners who were interned in German prison camps. The letter has a great deal of information which I commend to my colleagues, particularly those who serve on the Committee on Veterans' Affairs.

The letter is as follows:

PROSTHETICS RESEARCH BOARD,
NATIONAL ACADEMY OF SCIENCES,
NATIONAL RESEARCH COUNCIL,
*Washington, D.C., April 1, 1959.*

Hon. ROBERT W. LEVERING,
*House of Representatives,*
*Washington, D.C.*

DEAR MR. LEVERING: Under present laws governing the Veterans' Administration, service connection with respect to the cause of death of a veteran is normally dependent upon documentation in official medical records of a related condition or disability that occurred during the individual's period of military service. There are certain disabilities for which service connection has been established by statute based upon "presumption." This is true of tuberculosis. In such instances, the condition must be made a matter of record within a specified number of years after a veteran leaves the military service.

In the past few years there have been many instances wherein a former prisoner of war of the Japanese has died of disease, but since a related condition was not a matter of record at the time of the individual's separation from the service, service connection could not be established under existing laws and the widow had no pension rights. This occurred recently in the case of Maj. Gen. E. P. King who commanded the U.S. forces in Bataan. Although General King had served this Nation for 35 years at the time he retired and had undergone the stresses and strains of a surrender and 3½ years of starvation as a prisoner of war, his widow's claim for pension was denied on the basis that his death by a heart attack was not service connected since a cardiac condition was not a matter of record during his period of military service. Many similar cases have been brought to my attention since 1945.

The following facts are relevant to this problem:

1. No sizable U.S. force in World War II suffered the catastrophic casualty rate of the units that defended the Philippine Islands and were captured by the Japanese.

2. No large group of American prisoners of war in any other theater of World War II were subjected for so long a period of time to a diet that was so grossly inadequate both quantitatively and qualitatively and to the almost total absence of medical care such as were those comprising the Philippine force who were prisoners of war of the Japanese for about three and a half years.

Germany recognized the provisions of the Geneva convention as regards the treatment of POWs. Japan did not recognize this international agreement. There was, accordingly, a wide disparity between the policies of these two powers governing the treatment of prisoners of war. This was reflected in an infinitely higher mortality and disability rate in Japanese camps as compared with those operated by the Germans and other Axis nations. The following data was taken from "A Follow-Up Study of World War II Prisoners of War" that was prepared for the Veterans' Administration by the National Academy of Sciences—National Research Council:

| | Captured | Recovered | Died as POW's | Death rate |
|---|---|---|---|---|
| | | | | *Percent* |
| European theater | 93,653 | 92,820 | 576 | 0.6 |
| Pacific theater | 24,992 | 16,358 | 8,452 | 33.8 |

The death rate was 55 times higher in Japanese camps than in those operated by the Germans and Italians. There was a correspondingly higher rate of disease among POW's of the Japanese.

3. Medical literature does not contain today any comprehensive study of the long-range effects of severe starvation endured for a long period of time.

The above-mentioned study made by the National Academy of Sciences for the Veterans' Administration makes this statement on page 15:

"The adverse conditions in Japanese prison camps responsible for a mortality excess of such magnitude can be assumed to have had strong selective effects. A question of special interest is whether those who survived such conditions, presumably by virtue of exceptional viability, nevertheless bear lasting residuals of the experience severe enough to affect their survival unfavorably in the long run."

4. During the 6-year period 1946–51 (p. 19 of the study cited above) there was a mortality rate of 31.7 percent among the surviving Japanese POWs as compared with an expected actuarial rate of 14.2 percent. The European exprisoners experienced no excess of mortality during this 6-year period (p. 25 of the NAS study).

The NAS report, on page 63, concludes that "The Pacific prisoners who survived imprisonment were, without question, adversely affected by that experience, whereas the European prisoners showed no measurable effect of their imprisonment, at least during the first 6 years after liberation. The

negative findings in the European group appear to be sufficiently well established to conclude that more intensive study of this group, for the period thus far observed, is not indicated.

"For the Pacific prisoners the evidence is unequivocal that the effects of imprisonment resulted in a markedly reduced survival potential at liberation."

5. In view of the findings of this report, it would be desirable to request the Veterans' Administration to bring up to date the mortality data regarding the ex-prisoners of the Japanese.

6. Relief for this problem must of necessity be by statute. Since the direct relationship of starvation to many diseases cannot be documented in medical literature, the principle of presumption must be utilized. The use of this principle in the determination of service connection is quite common. Before the present Congress are the following measures involving service connection for veterans based upon presumption: H.R. 279, H.R. 281, and H.R. 280.

7. The number of potential beneficiaries of relief legislation for this group is relatively small, and the act would therefore not be significant as regards the budget. Excluded from the provisions of such an act would be deaths due to accident.

I have not as yet heard from Dr. Bloom with respect to holding a meeting on this subject at the time of the annual meeting of the American Defenders of Bataan and Corregidor next month. If you believe that this project is feasible, a plan to initiate it should be developed.

Sincerely,

H. W. GLATTLY, M.D.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BREWSTER (at the request of Mr. FOLEY), for Tuesday, April 14, on account of official business.

To Mr. TEAGUE of Texas (at the request of Mr. FOUNTAIN), from April 15 through April 22, 1959, on account of official business.

To Mr. HESS, for April 15, 16, and 17, on account of official committee business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ADDONIZIO, for 10 minutes, today.

Mr. PASSMAN, for 1 hour, on Tuesday, April 28.

Mrs. ROGERS of Massachusetts, for 5 minutes, today and tomorrow.

Mr. STAGGERS, for 5 minutes, today.

Mr. MOSS (at the request of Mr. MORRIS of New Mexico), for 15 minutes, on Thursday next.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PORTER and to include extraneous matter.

Mr. HALLECK and to include extraneous matter.

Mr. MAGNUSON.

Mr. ROBERTS in two instances.

Mr. DOOLEY and to include extraneous matter.

(At the request of Mr. MORRIS of New Mexico, and to include extraneous matter, the following:)

Mr. FOGARTY.

Mr. ROOSEVELT.

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 12. An act to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs; to the Committee on Interstate and Foreign Commerce.

## ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2575. An act to authorize the appropriation of $500,000 to be spent for the purpose of the III Pan American Games to be held in Chicago, Ill.; and

H.R. 3648. An act to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes.

## BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2493. An act declaring certain property in the State of New Mexico to be held in trust for the pueblo of Santo Domingo.

## ADJOURNMENT

Mr. MORRIS of New Mexico. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p.m.) the House adjourned until tomorrow, Wednesday, April 15, 1959, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

845. A letter from the Chairman, Federal Communications Commission, transmitting a draft of proposed legislation entitled "A bill to amend section 5(c) of the Communications Act of 1934, as amended, to redefine the duties and functions of the review staff"; to the Committee on Interstate and Foreign Commerce.

846. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend the Trading With the Enemy Act, as amended"; to the Committee on Interstate and Foreign Commerce.

847. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend subdivision c of section 48 of the Bankruptcy Act (11 U.S.C. 76c) to increase the closing fee of the trustee from $5 to $10 and section 132 of the Bankruptcy Act (11 U.S.C. 532); to the Committee on the Judiciary.

848. A letter from the Clerk, U.S. Court of Claims, transmitting certified copies of the court's opinion in the case of *Georgia Kaolin Company* v. *The United States* (Congressional No. 7–55); to the Committee on the Judiciary.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of the rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 3460. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; with amendment (Rept. No. 271). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HULL:

H.R. 6346. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war, national disaster, emergency, or economic depression, and to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. BAILEY:

H.R. 6347. A bill to provide for the encouragement of economic redevelopment in communities depressed by chronic unemployment; to the Committee on Banking and Currency.

By Mr. BENNETT of Florida:

H.R. 6348. A bill to provide a practical means of reducing the national debt by designating the obligations to be retired by certain payments received by the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. BROYHILL:

H.R. 6349. A bill to amend the act entitled "An act to require certain safety devices on household refrigerators shipped in interstate commerce," approved August 2, 1956; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H.R. 6350. A bill to authorize the conveyance to the city of New York of certain lands located in said city for park and recreational purposes; to the Committee on Public Works.

H.R. 6351. A bill to revise section 3054, title 18 of the United States Code, concerning the enforcement of certain provisions of such code, and for other purposes; to the Committee on the Judiciary.

H.R. 6352. A bill to amend subdivision d of section 60 of the Bankruptcy Act (11 U.S.C. 96d) so as to give the court authority on its own motion to reexamine attorney fees paid or to be paid in a bankruptcy proceeding; to the Committee on the Judiciary.

By Mr. COOLEY:

H.R. 6353. A bill to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes; to the Committee on Agriculture.

By Mr. CRAMER:

H.R. 6354. A bill to amend sections 522 and 545 of title 38, United States Code, to increase the income limitations applicable to payment of pension for non-service-connected disability or death to $2,000 and $3,300; to the Committee on Veterans' Affairs.

H.R. 6355. A bill to amend the Railroad Retirement Act of 1937 to increase from $100 to $150 a month the amount of outside earnings which a disability annuitant may earn without losing his annuity thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 6356. A bill to amend the Internal Revenue Code of 1954 to provide that annuities under the Civil Service Retirement Act shall not be subject to the income tax; to the Committee on Ways and Means.

H.R. 6357. A bill to restore the traditional relationship between active duty pay and retired pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. DENT:

H.R. 6358. A bill to amend the act of December 18, 1942 (relating to research for utilization of coal), to authorize the Secretary of the Interior to make a certain contract or contracts for research and to make certain grants to the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

H.R. 6359. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DEROUNIAN:

H.R. 6360. A bill to provide that special nonquota immigrant visas may be issued to certain orphans lawfully adopted abroad after June 30, 1959; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H.R. 6361. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. FINO:

H.R. 6362. A bill to amend the Federal Employees' Compensation Act so as to facilitate the collection of fees by attorneys representing claimants under such act; to the Committee on Education and Labor.

H.R. 6363. A bill to amend the National Service Life Insurance Act of 1940 to provide for lump-sum payments to certain beneficiaries under such act; to the Committee on Veterans' Affairs.

By Mr. FLOOD:

H.R. 6364. A bill to amend the Fair Labor Standards Act of 1938 to fix the minimum wage at $1.25 an hour; to the Committee on Education and Labor.

By Mr. HEALEY:

H.R. 6365. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on th National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. HERLONG:

H.R. 6366. A bill to repeal the tax on transportation of persons; to the Committee on Ways and Means.

H.R. 6367. A bill to amend the Federal Alcohol Administration Act in order to amend the definition of the term "United States"; to the Committee on Ways and Means.

H.R. 6368. A bill to amend the Tariff Act of 1930 to place certain pumice stone on the free list; to the Committee on Ways and Means.

By Mr. KNOX:

H.R. 6369. A bill to provide an alternative basis for determining the amount of money made available to a State for schools and roads by the Secretary of Agriculture in the case of sales of certain forest products from national forests located within such State, and for other purposes; to the Committee on Agriculture.

By Mr. LANE:

H.R. 6370. A bill to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McINTIRE:

H.R. 6371. A bill to provide for a review of the reports on the project for Narraguagus River, Maine; to the Committee on Public Works.

H.R. 6372. A bill to provide a preliminary examination and survey of Calf Island, Maine, in the interest of navigation; to the Committee on Public Works.

By Mr. McSWEEN:

H.R. 6373. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 6374. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. PASSMAN:

H.R. 6375. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 6376. A bill to amend section 162 of the Internal Revenue Code of 1954 to provide that certain expenditures incurred in connection with measures submitted to the electorate shall be allowed as business deductions; to the Committee on Ways and Means.

By Mrs. PFOST:

H.R. 6377. A bill to consolidate, revise, and reenact the public-land townsite laws; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of Virginia:

H.R. 6378. A bill to authorize the American Society of International Law to use certain real estate in the District of Columbia as the national headquarters of such society; to the Committee on the District of Columbia.

By Mr. TEAGUE of Texas:

H.R. 6379. A bill to amend chapter 35 of title 38, United States Code, to make the definitions of World War I and World War II, for the purposes of war orphans' educational assistance, conform to those applicable to compensation for a service-connected disability or death; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H. R. 6380. A bill to extend the existing authority to provide hospital and medical care for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities; to the Committee on Veterans' Affairs.

By Mr. WAMPLER:

H.R. 6381. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. AVERY:

H.R. 6382. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. McCULLOCH:

H.R. 6383. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 6384. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 6385. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 6386. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of California:

H.R. 6387. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. BROOKS of Louisiana:

H.R. 6388. A bill to establish a program of financial assistance to promote the construction of science buildings and the development of related equipment and facilities at colleges and universities in the United States; to the Committee on Science and Astronautics.

By Mr. CHAMBERLAIN:

H.R. 6389. A bill to amend the Internal Revenue Code of 1954 to repeal the retailers excise tax on luggage, handbags, etc.; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 6390. A bill to prevent discrimination in any public or semipublic place or by any public or semipublic transportation against members of the Armed Forces because of race, color, or creed; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 6391. A bill to amend section 4 of the War Claims Act of 1948 to provide benefits to certain contractors' employees; to the Committee on Interstate and Foreign Commerce.

H.R. 6392. A bill to amend section 5 of the War Claims Act of 1948 to provide detention and other benefits thereunder to certain Guamanians killed or captured by the Japanese at Wake Island; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 6393. A bill to amend the Social Security Act and the Internal Revenue Code so as to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. VAN ZANDT (by request):

H.R. 6394. A bill to provide death compensation on behalf of widows and children of severely disabled veterans; to the Committee on Veterans' Affairs.

By Mr. CUNNINGHAM:

H.R. 6395. A bill to provide for the reclassification of certain distribution clerks at airport mail facilities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GRAY:

H.R. 6396. A bill to encourage the development of the basic water resources of the United States; to the Committee on Public Works.

By Mr. ROBERTS:

H.J. Res. 337. Joint resolution proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools; to the Committee on the Judiciary.

By Mr. WOLF:

H.J. Res. 338. Joint resolution declaring Good Friday in each year to be a legal holiday; to the Committee on the Judiciary.

By Mr. REUSS:

H. Res. 242. Resolution favoring an international agreement for a suspension of nuclear weapons tests; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. DADDARIO: Memorial of the General Assembly of the State of Connecticut memorializing Congress to support a proposed amendment to the Federal Constitution relative to the imposition and collections of taxes on income by the States; to the Committee on the Judiciary.

By Mr. GIAIMO: Memorial of the General Assembly of the State of Connecticut memorializing the Congress of the United States to support a proposed amendment to the Federal Constitution by adopting Senate Joint Resolution 29, providing that the several States would have no power to impose and collect taxes on income from whatever source derived except in respect to residents of the State imposing the tax; to the Committee on the Judiciary.

Also, memorial of the General Assembly of the State of Connecticut memorializing Congress to amend the provisions of Public Law 85–316 to include cases which fall within the fourth preference quota, in order to provide for entry of the many thousands, petitions for whom have piled up in a backlog in prior years; and that in order not to create another problem of separated families, those applicants who are married and have families be permitted to bring them into this country; to the Committee on the Judiciary.

By Mr. LANE: Memorial of General Court of Massachusetts memorializing the Congress of the United States to enact legislation to alleviate the burdens presently existing on the textile and fishing industries of the Commonwealth of Massachusetts; to the Committee on Ways and Means.

By Mr. MONAGAN: Memorial of the General Assembly of the State of Connecticut memorializing Congress to amend Public Law 85–316 to include cases which fall within the fourth preference quota; to the Committee on the Judiciary.

Also, memorial of the General Assembly of the State of Connecticut memorializing Congress to support a proposed amendment to the Federal Constitution relative to the imposition and collections of taxes on income by the States; to the Committee on the Judiciary.

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to take steps to acquire, establish, and develop a Kettle Moraine National Park in Wisconsin to properly commemorate the glacial age; to the Committee on Interior and Insular Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1, of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DANIELS:

H.R. 6397. A bill for the relief of Iona Lembesis (nee Rozanitou); to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 6398. A bill for the relief of Mrs. Henryka Bernard; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 6399. A bill for the relief of Fernando Pereira Fernandes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 6400. A bill for the relief of Mrs. Clara Young; to the Committee on the Judiciary.

By Mr. HARRISON:

H.R. 6401. A bill for the relief of Ingold Hahn; to the Committee on the Judiciary.

By Mr. JACKSON:

H.R. 6402. A bill for the relief of Victor Stiglic; to the Committee on the Judiciary.

By Mr. MEYER:

H.R. 6403. A bill for the relief of Kim Myon Yon; to the Committee on the Judiciary.

By Mr. MILLIKEN:

H.R. 6404. A bill for the relief of Mrs. Serpuhi Klavuzoglu; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 6405. A bill for the relief of Vukasin Krtolica; to the Committee on the Judiciary.

By Mr. TAYLOR:

H.R. 6406. A bill for the relief of Allen S. Collins; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

149. By Mr. DOOLEY: Resolution of the board of directors of the Chamber of Commerce, New Rochelle, N.Y., opposing Federal subsidies for public education on the grounds that they are unnecessary, unreasonable, unsound and dangerous to the preservation of local initiative and vitality; to the Committee on Education and Labor.

150. Also, resolution of the board of directors of the Chamber of Commerce, New Rochelle, N.Y., urging support of House Resolution 161 to eliminate the back-door financing, and requesting Members of the Congress to use their greatest efforts to compel the House Rules Committee to report this measure to the House and then to secure the adoption of same; to the Committee on Rules.

151. Also, resolution of the board of directors of the Chamber of Commerce, New Rochelle, N.Y., urging the repeal of the excise taxes on telephone and transportation services; to the Committee on Ways and Means.

152. Also, resolution of the board of directors of the Chamber of Commerce, New Rochelle, N.Y., appealing for the removal of excise tax on luggage, briefcases, personal leather goods such as wallets and key cases, and ladies' handbags; to the Committee on Ways and Means.

153. By Mr. GIAIMO: Petition of the Public Utilities Commission of the State of Connecticut pertaining to excise taxes on telegraph service; to the Committee on Ways and Means.

154. By Mr. KNOX: Petition of residents of the 11th Congressional District of Michigan in behalf of the sovereign state of Finland and its people; to the Committee on Foreign Affairs.

155. By the SPEAKER: Petition of the president, Legion for the Survival of Freedom, Inc., McAllen, Tex., petitioning consideration of their resolution with reference to the defense of American freedom; to the Committee on Foreign Affairs.

# EXTENSIONS OF REMARKS

## Radiation Hazard Act of 1959

EXTENSION OF REMARKS
OF

### HON. KENNETH A. ROBERTS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 14, 1959*

Mr. ROBERTS. Mr. Speaker, on April 10, 1959, I introduced a bill, H.R. 6265, to provide for the vesting of primary responsibility for the protection of the public health and safety from radiation hazards in the Public Health Service of the Department of Health, Education, and Welfare, and for other purposes.

I believe that this bill deals with a most important and crucial public health hazard, the danger of ionizing radiation. The principal sources of ionizing radiation which have been created or developed by man include X-ray machines, nuclear reactors and their radioisotopic byproducts, high-energy particle accelerators, a number of concentrated forms of naturally occurring radioactive materials, and the fallout constituents of nuclear weapons. Among these sources, only nuclear reactors, their fuels, their radioisotopic byproducts, and their radioactive wastes have been placed under substantial regulation from the standpoint of their influence on health and safety.

In the absence of a comprehensive program through which the health hazards of all sources of ionizing radiation may be brought under supervision, there is an important weakness in the Nation's efforts to control radiation safely.

X-ray machines are now used extensively in industry as well as in the health professions. Radioisotopes are finding application in a rapidly increasing number of industrial plants, university laboratories, hospitals, and agricultural research centers. And nuclear reactors are being planned and constructed at an accelerating pace. Few areas of human activity remain where sources of ionizing radiation do not find some practical application.

A comprehensive program for the control of radiation hazards includes many elements; two are particularly worthy of attention: (a) The formulation of sound radiation protection standards and (b) the enforcement of public health regulations based upon these standards.

One of the important problems with which the Congress must deal is the extent to which the regulatory and enforcement functions of a radiation control program must be discharged by the Federal Government and to what extent they may be discharged effectively by State and governmental agencies.

Briefly stated, the bill H.R. 6265 would do the following. It declares it to be the policy of this Government that primary responsibility for the protection of the public health from radiation hazards shall be vested in the Public Health Service and in State and local health authorities. It instructs the Surgeon General to develop, in consultation with Federal, State, and local agencies exercising responsibilities in connection with the control of radiation hazards, uniform standards of radiation protection. It authorizes the Surgeon General to conduct research, studies, investigations,

and training programs with respect to the control of radiation hazards both directly and through grants-in-aid. It establishes a National Advisory Council on Radiation Hazard Control, to be appointed by the President and to consist of 15 members, including the Surgeon General of the U.S. Public Health Service, the Secretary of Defense, the Chairman of the Atomic Energy Commission, and the Director of the National Science Foundation. And finally, it requires the Surgeon General to submit to the Congress not later than February 28, 1960, a comprehensive program for the control of radiation hazards emanating from all manmade sources. This program will be developed by the Surgeon General after consultation with Federal, State, and local agencies exercising responsibilities in connection with the control of radiation hazards.

Mr. Speaker, the bill H.R. 6265 was referred to the Committee on Interstate and Foreign Commerce and it is my hope as chairman of its Subcommittee on Health and Safety that action on this important legislation can still be taken during the first session of this Congress.

## Mr. Summerfield's Space Age Philosophy

EXTENSION OF REMARKS
OF
### HON. DON MAGNUSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, April 14, 1959*

Mr. MAGNUSON. Mr. Speaker, time was when it took 4 days for regular mail to reach me here from the State of Washington. For 6 years, as a matter of fact, I learned that I could count on this as an immutable rule of thumb.

It was kind of comforting, even, to know I could depend on this, one of the few unchanging constants in an age of bewildering flux.

Alas, no more. Mr. Summerfield, caught up with the spirit of the times, could not leave well enough alone. He persuaded the President and a somewhat reluctant Congress to give him more money through increased postal rates to finance a wholesale modernization program of the postal service. He promised us a new, efficient postal system, in keeping with the moods and needs of the mid-twentieth century.

The new look has arrived, quietly, unheralded.

It now takes 7 days for the mail to reach my office.

I long hesitated to admit, even to myself, that my old familiar 4-day rule had been replaced by a brand spanking new 7-day model. But indisputable proof confronted me last Friday, April 10, when the postman delivered a letter to the office at 1 p.m.

I looked at the postmark. The letter had been posted exactly 7 days earlier, at 1 p.m. April 3, from a small town in the State of Washington.

I felt sad, Mr. Speaker, when the truth was forced upon me. Even this had changed and was no more.

But in the midst of my sorrow, there came the gleam of a comforting thought. Maybe, I said to myself, Mr. Summerfield is wiser than us all. Maybe he alone realizes that in the midst of the noise, and complexity and speed of the space age, we need to be reminded that time is eternal, that life will go on, and that we must preserve some of the old values of cumbersomeness, inefficiency and delay.

## World Law—The Bridge Between the Danger and the Dream

EXTENSION OF REMARKS
OF
### HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, April 14, 1959*

Mr. PORTER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following remarks which I am scheduled to present this evening before the Wilmington, Del. chapter of the United World Federalists:

WORLD LAW—THE BRIDGE BETWEEN THE DANGER AND THE DREAM

Considering the degree and the immediacy of the danger of a thermonuclear world disaster and the apparent remoteness of peace based on world law, it might be appropriate for me to commence my remarks with the words of a hymn. You are probably acquainted with the second verse of "Turn Back O Man, Forswear Thy Foolish Ways," but let me read it to you:

"Earth might be fair and all men glad and wise,
Age after age their tragic empires rise,
Built while they dream, and in that dreaming weep,
Would man but wake from out his haunted sleep,
Earth might be fair and all men glad and wise."

Hymns, fellowship, prayer—all these should be utilized in the search for world peace. We remember what St. Paul preached. We know that faith needs works. We wonder, are we smart enough to survive? Is it in fact too late to avert world disaster? The cosmic clock may indeed indicate 5 minutes after 12, not before 12.

I didn't come here tonight to despair, nor did I come here to bedazzle you with the prospect of a world at peace, a peace insured by effective world law.

PRESENT POLICIES PUSH ATOMIC WAR CLOSER

I didn't come to make you wring your hands and gnash your teeth and tear your hair, although I grant that these responses may be entirely defensible in the light of our present situation and of our policies which are every day pushing us closer to atomic war and to the destruction of our civilization.

I didn't come to describe for you the social, economic, and cultural configurations of a world no longer forced to dissipate its resources in a gigantic arms race.

I did come to Wilmington from Washington to attempt to delineate more precisely the danger confronting the world today and the dream—the attainment of which means escape from this danger. I came to counsel against excesses of both despair and hope. If we have decided to climb Mt. Emerest, we do not give up before we start, nor do we start without considerable preparations, preparations which might be hastened if that summit were soon to be the only place on earth that could sustain life.

So it is with the attainment of workable world law. I want to discuss several particular preparations we can make and, I add, must make immediately.

Washington, D.C., sometimes described as a place of protocol, alcohol, and Geritol, has no monopoly on attempts to solve this problem, and certainly we can't do it without the help of Wilmington, Del., Eugene, Oreg., and people in cities and countries everywhere.

A human being is a frail thing. He can easily be killed. Most of us are reluctantly reconciled to our own personal mortality, but we are appalled at the thought that our children may not have a chance to grow up because of our progress in the arts of weapon making. We would like to figure out how to save them.

We must accurately assess the danger. Are we too alarmist? Is there a balance of terror on which we can rely? Can't we take comfort in the age-old belief that for every offensive weapon man has invented, man has soon developed an effective defense?

THE LINES GROW LONGER

The danger, unquestionably, is unprecedentedly great. We have explosives inconceivably more powerful than any we ever imagined possessing. Let me illustrate. If you use a line 2 inches long to represent the explosive force of an 11,000-pound blockbuster chemical bomb, the largest we had in World War II, in order to represent on the same scale a 3-megaton hydrogen bomb—a relatively small thermonuclear device—you would have to draw a line 20 miles long.

Propulsion and guidance systems are improving rapidly. Our experts assured us more than a year ago that we now were at the stage of "nuclear plenty," which means each of three nations has more than twice or three times enough bombs to wipe out all human life. Our military men talk dispassionately about the "overkill" problem.

THREE WAYS OF TRIGGERING WAR

But just because we have them doesn't mean we'll use them, does it? Let's look at the ways an all-out war could be triggered.

First, intentionally. We have, I am told, an increasing number of military men privately advocating preventive war, their reason being that in no other way will we have a chance because of vast Soviet superiority in missiles. Of course, the Soviets are aware of this reasoning. And we realize they may decide to insure that their missiles get the head start.

Second, war could start accidentally. That is, the result of human error. Many fingers are on many triggers and those fingers belong to fallible human beings.

Third, by unauthorized action, as where, without proper authority, a custodian of a weapon decides, for reasons of insanity, venality, idealism or perhaps alcohol, to cause a thermonuclear explosion.

We have laws, customs and mechanical safeguards galore with reference to the use of small arms, but a lot of people get hurt and killed with them every day.

A single atomic explosion in these times of tension would be hard to interpret except as an aggressive act, the precursor of an all-out attack. There would be no wreckage to examine, no witnesses to question, only the necessity to judge instantly whether retaliation was in order. I submit to you that the man who had to make the decision would not be inclined to characterize any mysterious blast as anything but an attack.

Until tensions in the world can be reduced, any accidental or unauthorized explosion is likely to set in motion toward all-out war forces which cannot be stopped.

FANTASTIC SPECULATION

Do I speculate fantastically? I wish I could say I did. Let me read what the Rand Corp. said last July on this subject, this corporation being, as many of you know, in effect the private brains of our Air Force:

"It should be recognized that all-out nuclear war could start in many ways, other than by a premeditated Soviet attack. A local war might become so invested with national interests and prestige that Soviet leaders, if faced with decisive defeat, would choose to counter with an all-out attack. This danger has probably increased because Khrushchev seems less cautious than Stalin, less secure in his grasp of power, yet freer to exercise his diplomacy on a global scale. War might occur because of miscalculation of U.S. intentions; in a period of acute tension, verbal and even military indicators would be difficult to interpret, and the premium on a first strike might well tempt the USSR to launch a pre-emptive attack. War might even begin by accident, triggered by a chance release of weapons, and carried on because both sides were poised in a high state of alert for quick and nearly automatic retaliation. Finally, as just mentioned, we cannot rule out the possibility that the United States, faced with a major Soviet challenge, might sometime be forced to resist militarily, even at the risk of devastation."

Later in the same report, a note of hope, at least as to fallout, was sounded:

"To conclude: Despite many unresolved questions about long-term fallout, it seems to be a sound generalization that long-term radiation problems are a less critical threat to the survival of a population than the central short-term problem, namely, how to protect a substantial fraction of the population from the immediate disaster of a nuclear war."

However, disclosures subsequently indicate that food supplies may be far more critical because of long-term radiation, so perhaps even that vestige of comfort is denied us.

ARE WE SMART ENOUGH TO SURVIVE?

The danger is clear and deadly and immediate, yet the usual reaction, when not entirely due to ignorance, is either an indifferent fatalism or a sappy kind of optimistic incredulity. One attitude is summed up in the words, "Well there's nothing we can do about it," and the other in the words, "Things look tough all right but we'll muddle through again." These attitudes may be entirely adequate from a personal mental hygiene point of view but they are not going to help us survive.

There are many things we can do about this danger and we certainly can't count on muddling through. The question is, Are we smart enough to survive? Are we smart enough to apprehend the danger, to conceive the solution and then to proceed step by step to its fulfillment? I don't know. You don't know. We wonder. We hope. We pray.

What about the dream, the solution, a world under law? It isn't so complex nor is it in itself controversial. We don't have war among the States of our Nation—not any more. We have a Federal system. What is controversial is the feasibility of even trying to attain this sort of system for the world. The usual accusations are that those who want world law are out to weaken our position with respect to the Soviet Union and also that such a system would mean an invasion of our sovereignty with interference in local affairs.

WORLD LAW IS THE SOLUTION FOR OUR WEAPONS CRISIS

Let me now call a few witnesses in support of my proposition that world law is the solution for our weapons crisis.

The President has said so. Last August his Assistant Secretary of State for International Organization Affairs, Francis O. Wilcox, expressed administration policy in these words:

"In this nuclear age, when we are all faced with annihilation, man must continue relentlessly his eternal quest for peace. In this quest I believe that our best hope still lies in the concept of collective security and in taking what steps we can to strengthen the peace machinery of the United Nations."

Sometimes the White House and the Republicans in Congress differ, but apparently not on this point. Consider what Senator STYLES BRIDGES, head of the Republican policy committee, said on the floor of the Senate last July 23:

"But we are confronted today with the awful fact that thermonuclear devices make war a threat of total destruction of the civilized world. We face catastrophe if we allow the world to drift into another world war. We may not be able to escape war in any event, but we have a sacred duty to all mankind to try to find another way out.

"Aside from naked power politics, backed by each nation's armed strength, our only hope lies in developing the power of the community, as presently represented by the United Nations, to deal with the trouble spots that lead to war.

"The United Nations cannot control the actions of the great powers. If they are determined to make war, the United Nations will be powerless to stop them.

"But the great powers drift into war by lining up on opposite sides in the crises that occur in smaller nations. If we give the United Nations power to deal constructively with these events and conditions, we can remove many of the causes which set the great powers against each other, and thereby make world war less likely."

The Senator and I disagree on many issues, but not on this one.

HOW DO WE USE THE WORLD LAW CONCEPT?

What is the program? How do we use the concept of world law to bridge the gap between the danger of war and the dream of peace? The short and general answer is that we educate and discipline ourselves so that our executive and legislative branches proceed to carry out a vigorous public consensus demanding that we proceed to strengthen the United Nations and thus permit general massive disarmament.

The longer and more specific answer has, among others, these lines of action:

1. We must set about at once to consider strengthening the United Nations. Article 109 of the United Nations Charter provides procedures for calling a Charter Review Conference. In 1955 and again in 1957 this Conference was postponed pending more auspicious international circumstances.

The Committee on Arrangements for a United National Charter Review Conference meets this June. It is my hope that the United States at that time will urge the Committee to recommend to the United Nations General Assembly that governments establish national commissions, or instruct national bodies, to undertake studies to determine their position on charter review.

I want to read to you the text of a resolution to be introduced in the Congress this week by myself and several colleagues:

"Whereas the basic purpose of the foreign policy of the United States of America is to protect the freedom of its citizens; and

"Whereas the United States seeks freedom, peace, and prosperity for the peoples of all nations; and

"Whereas the United States has joined with other nations to pursue these goals through the United Nations; and

"Whereas enforceable law has proven to be indispensable to the attainment of these goals and to the peaceful and just settlement of disputes within all civilized communities: Now, therefore, be it

*"Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that it should be United States policy to seek, through the United Nations, the development of world law to protect the freedom, peace, and just aspirations of all peoples, to provide for the peaceful settlement of international disputes, and to permit the elimination of national armaments; and be it further

*"Resolved*, That a copy of this resolution will be sent to the President of the United States, who is hereby requested to initiate studies at the highest level of the changes which should be made in the Charter of the United Nations or in the charters of other international organizations to further the development of world law for the purposes enumerated in this resolution; and, pursuant to this goal; be it further

*"Resolved*, That the United States Government should urge the United Nations Committee on Arrangements for a United Nations Charter Review Conference, when it meets in June 1959, to recommend to the United Nations General Assembly that governments establish national commissions, or instruct appropriate national bodies, to undertake studies to determine their positions on charter review or revision in order to facilitate fruitful consideration of suitable measures to strengthen the United Nations Charter as an effective legislative, executive, and judicial instrument of world law when a Charter Review Conference is held."

In my opinion the very act of seeking to strengthen the United Nations would lessen tensions among nations today and reduce the likelihood of a war by design or a war triggered by an accidental or unauthorized act.

2. Proposals in the Congress and by the Vice President to increase the power of the World Court should proceed on their own and also as part of United Nations Charter revision studies. Senators HUMPHREY and MORSE, among others, propose to allow the Court to decide whether an issue is domestic or not. The Vice President wants the Court to interpret treaties so as to bind the parties. These would be gigantic steps forward away from war and toward peace.

3. The establishment of a United Nations police force, as urged by both the Congress and the President, could be done by action in the United Nations General Assembly. As presently conceived, it would be only for observation and patrol but if, as has been urged from many quarters, such as organization were used to supervise all armed forces in Berlin, its functions might well, in time, grow into something more formidable and effective.

4. Cessation of atomic testing. It was most encouraging that the Geneva talks were recently resumed. Any kind of an international inspection system would be a significant step forward. A would-be violator would have to consider the impact not only of world opinion, but the opinion of his own people.

5. Massive disarmament as proposed by Sir Philip Noel-Baker and others, on a multilateral basis and with proper safeguards of course, is possible. It is also realistic. The other evening Noel-Baker, the great authority on world disarmament, took violent exception to my using the word "dream" to describe world peace through world law. "The romanticists," he said, "are those persons who believe war can be prevented by an arms race." He went on to point out that no country can defend itself today, no matter how much it spends. You might, for a while, defend an airfield or launching site, but not the people. The cities are vulnerable, naked, defenseless. I agree with him that negotiations on a multilateral arms-limitation agreement, of great scope, ought to be begun without delay and with the utmost determination and intelligence.

6. The informing of public opinion here and elsewhere, as by discussions of the danger, the dream, and the programs by organizations like yours, and also the League of Women Voters, labor unions, churches, and schools. The monumental book "World Peace Through World Law," by Grenville Clark and Louis Sohn, should be used as the basis for profitable sessions. Unofficial international meetings should be held whenever possible to discuss these matters.

AN INFORMED PUBLIC OPINION

Our Government is based on public opinion. In these times it is more necessary than ever before that this public opinion, which elects our leaders, be informed.

No doubt you can suggest improvements on this program. Please do. I could add my own personal project of establishing a chapter in the United States Congress of the World Parliament Association. It will be called Members of Congress for World Law. I could also mention the personal security plans my able and respected friend, Ralph Lapp, the atomic publicist, has for the safety of himself and his family if they survive the first nuclear blast. They have supplies stored away in a shelter not too far out of Washington. He is neither a fatalist nor a sappy optimist, but most of us are one or both.

THE BALANCE OF TERROR

The other night, when I had the privilege of talking with Philip Noel-Baker, he ended his remarks to our small group by saying he believed that very substantial arms reductions were not only critically necessary but technically feasible in terms of effective inspection procedures.

"On the other hand," he said, "I believe that within 10 years we will all be dead and that the earth will be an incinerated relic."

The man sitting next to him, one of our highest scientific policy advisers for the administration, added without hesitation and with somber sincerity, "I believe so, too."

They may well be right. I refuse to believe that they are. It may indeed be 5 minutes after midnight; but, since we are not able to see this cosmic clock and because we want our children to have a chance to grow up, we have no honorable course but to proceed as though there was still time to save the world from becoming an "incinerated relic."

I started with a hymn and I shall end with the closing verse of "Turn Back O Man."

"Earth shall be fair, and all her people one,
Nor till that hour shall God's whole will be done.
Now, even now, once more from earth to sky
Peals forth in joy man's old undaunted cry:
'Earth shall be fair, and all her folks be one.' "

Thank you very much.

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## Voters Support Eisenhower Policies

EXTENSION OF REMARKS

OF

## HON. CHARLES A. HALLECK

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 14, 1959*

Mr. HALLECK. Mr. Speaker, following the recent Easter recess, the chairman of the Republican policy committee, Mr. BYRNES, joined with me in inviting Republican House Members to report informally on current sentiment in their home congressional districts on these four topics: First, the fight for a balanced budget; second, the adequacy of our defense program; third, the Berlin crisis and the international situation; and fourth, resistance to spendthrift Federal programs.

The response from our membership was gratifying and enlightening. The replies were carefully examined by Mr. BYRNES and myself and were the subject of a detailed report made to the President this morning at the White House leadership conference.

Under leave to extend my remarks in the RECORD, I include the following joint release reporting on our findings by topic and by geographical area:

JOINT RELEASE BY HON. CHARLES A. HALLECK, OF INDIANA, HOUSE REPUBLICAN LEADER, AND HON. JOHN W. BYRNES OF WISCONSIN, CHAIRMAN OF THE HOUSE REPUBLICAN POLICY COMMITTEE

WASHINGTON, April 14.—Reports from Republican House Members, back in Washington after spending the Easter recess in their own districts, indicate overwhelming support for administration policies on several fronts, according to House Republican Leader CHARLES A. HALLECK and JOHN W. BYRNES, chairman of the Republican Policy Committee.

HALLECK and BYRNES earlier had asked their Republican colleagues to pass along reactions of the folks back home to four current issues.

A survey of replies indicated widespread voter support of efforts by the President and Republicans in Congress to achieve a balanced Federal budget.

By the same token, an overwhelming majority of people back home trust President Eisenhower's judgment on the Nation's defense needs, the returning Congressmen told HALLECK and BYRNES.

The President's firm stand on the Berlin situation is receiving widespread approval, most citizens being convinced that appeasement of the Russians would be a grave mistake, in the opinion of Congressmen answering the Halleck-Byrnes inquiry.

Spendthrift programs got a thumbs-down reaction almost everywhere, the GOP members reported.

Following are some of the typical replies received by HALLECK and BYRNES from their colleagues:

ON A BALANCED FEDERAL BUDGET

*Middle West*

"The President's fight has taken solid root to a point where Democrats are visibly stunned by the 'spender' label" (Ohio).

"I found overwhelming support for a balanced budget and resistance to Federal spending programs" (Ohio).

"My constituents are definitely for a balanced budget and express a keen interest in reducing expenditures to the fullest extent possible" (Illinois).

"Republicans, particularly, are encouraged over the President's apparent decision to stand firm and hold expenses in line" (Illinois).

"The people of my district overwhelmingly support the President in his drive for a balanced budget" (Michigan).

"The President's position in favor of a balanced budget is extremely popular" (Indiana).

"The people of my district are insisting on a balanced budget. They fear the inflation tendencies now all too prevalent" (Iowa).

"The people of my district want Congress to match any unbalancing of the Eisenhower budget with tax increases, and a large percentage have told me to vote against any spending bills which would unbalance the budget unless taxes are provided to cover them" (South Dakota).

*Atlantic States*

"The residents of my district strongly favor our efforts to curtail spending and balance the budget" (Pennsylvania).

"The people * * * continue to insist on a balanced budget" (Pennsylvania).

"The people are generally for a balanced budget" (New York).

"The fight for a balanced budget is generally supported" (New York).

"Basically, the people are concerned with prices, which is an indirect way of saying they want a balanced budget and stable economy" (New York).

"The President must continue to show that the Republican Party stands for a balanced budget, a budget providing for progress and economy in Government at the same time" (Massachusetts).

"I found repeated expressions in support of keeping Federal expenditures under control" (Maine).

"Moderation in Government spending makes sense to the grassroots voters" (New Jersey).

*Pacific States*

"I have more than 27,000 signatures of citizens of my area on petitions urging that the Government live within its means" (Washington).

"People are saying more and more that inflation must be stopped" (Washington).

"I have been in receipt of over 7,000 letters asking me to back the administration's stand for a balanced budget with no new general taxes" (Washington).

"The general public is demanding retrenchment in spending which will lead to a reduction in taxes" (California).

"The people of my district are quite vehement that I do everything I can to fight for a balanced budget. They feel very strongly that the President should veto any excessive spending bills" (California).

ON THE ADEQUACY OF OUR DEFENSE PROGRAM

*Middle West*

"Most people are inclined to rely on the judgment of the President rather than the rantings and wails of some of the self-appointed political experts on the other side of the aisle" (Ohio).

"Republicans and Democrats alike believe that the decision of the President can be trusted" (Ohio).

"They believe our defense program to be wholly adequate" (Illinois).

"My people feel that the President is the best authority in determining our defense program" (Illinois).

"The people have confidence in his (the President's) judgment on defense requirements" (Michigan).

"People are pretty much ready to trust the President's position with respect to our preparations for defense" (Indiana).

"They have confidence in President Eisenhower * * * and have no time for the so-called defense experts in the Congress who seem to have all the answers" (Iowa).

*Atlantic States*

"I received no complaints in regard to our defense program" (Massachusetts).

"They are satisfied that our defense program is satisfactory because they have confidence in the President" (New Jersey).

"My constituents have faith in the President as a military leader" (Pennsylvania).

"My people do not seem inclined to follow the armchair generals who would ignore his (the President's) military experience" (Pennsylvania).

"They believe that our defense program is adequate" (New York).

"The administration's defense program is generally supported" (New York).

*Pacific States*

"Most citizens realize the President is better qualified by training, education, and access to all facts than anyone else to say what the Nation's defense needs are and that they stand ready to support his judgment" (Washington).

"The people in general believe our defense program is adequate" (California).

ON BERLIN AND THE INTERNATIONAL SITUATION

*Middle West*

"The firm stand on Berlin received almost unanimous approval" (Ohio).

"They are solidly behind him on the Berlin crisis" (Michigan).

"There is renewed appreciation of Secretary Dulles' policy of firmness toward the Communists and concern lest a possible successor be less firm" (Indiana).

"There was almost unanimous support of the present stand in the Berlin crisis, and constant statements that we should be firm, and under absolutely no circumstances attempt to appease the Communists" (Illinois).

"They like our firm position relative to Berlin" (Illinois).

"The people of my district are not too optimistic about a summit conference unless it is first determined that some progress can be made at a meeting of foreign ministers" (Iowa).

"My people want us to stand up to Russia on all issues" (Kansas).

*Atlantic States*

"The people appreciate that we must keep a stiff upper lip and meet our responsibilities in the Berlin crisis" (New York).

"Many people seemed to feel that the illness of Mr. Dulles has returned the President to more vigorous leadership and that its effect on the country was excellent" (New York).

"I found great enthusiasm among the voters for the President's recent television speeches. Folks agree with his firm stand on the Berlin crisis and are rallying behind him" (Massachusetts).

"Most people have just become immune to crises" (Massachusetts).

"I found strong support of the President's position and a feeling that this is no time for compromise" (Maine).

"They believe he is doing what is best for the country in relation to Berlin" (New Jersey).

"The confidence of our people in the ability of the Republican Party to meet the Soviet challenge is one of our major assets" (Pennsylvania).

"A recent poll showed 99 percent of the people favoring a strong stand on Berlin. Where criticism exists it is almost always that Ike is not rough enough" (Pennsylvania).

*Pacific States*

"My people expressed confidence in Secretary Dulles and hope that he will be able to return to his position" (California).

"Since the President's speech concerning our firm stand on Berlin, there has been a feeling of general relaxation in tension and worry and confusion" (Washington).

ON SPENDTHRIFT FEDERAL PROGRAMS

*Middle West*

"For the most part, the people that I talked with are opposed to spendthrift programs. A departure from this is noted only in the top echelon of labor organization" (Ohio).

"Iowa people are definitely opposed to spendthrift Federal programs. They hope the President will exercise his veto power in an attempt to hold things within a proper balance" (Iowa).

"The President should continue to emphasize the point that deficit spending feeds the fire of inflation, which imposes a cruel, unfair tax on low-income groups which can least afford to pay it" (Michigan).

"In my opinion we have failed to make a definite impression on the minds of the people of the vital need for a balanced budget and a sound economy. The spenders still have glamour and get headlines" (Illinois).

"My constituents are against all welfare spending programs" (Kansas).

*Atlantic States*

"There is strong resistance to spendthrift Federal programs" (New York).

"The people are tax conscious and understand that if they are going to spend, they can expect to be taxed. It isn't politically helpful to be labeled as a spender" (New York).

"I found repeated expressions in support of keeping Federal expenditures under control" (Maine).

"The people are deeply concerned about excessive Federal spending. They are restive about the heavy tax burden and would like some hope of eventual tax relief" (Pennsylvania).

"The Pennsylvania Dutch, whom I represent, have always opposed Federal welfare programs. In my recent chats with them I did not discover that they have changed their viewpoint in any particular" (Pennsylvania).

*Pacific States*

"The general public is demanding retrenchment in spending which will lead to a reduction in taxes" (California).

"I feel we need to dramatize more of our issues because factual talk about balanced budgets, and inflation, and fiscal responsibility doesn't have the emotional appeal of the 'doing something for somebody' programs" (Washington).

"My mail indicates the public generally is for curtailing new and costly programs" (Washington).

## Chamber of Commerce Week

EXTENSION OF REMARKS

OF

## HON. EDWIN B. DOOLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 14, 1959*

Mr. DOOLEY. Mr. Speaker, the current week is known as Chamber of Commerce Week. Evidence that there is nothing new under the sun keeps turning up in the most unlikely places. From far off Mesopotamia comes proof that the local chamber of commerce—that symbol of jet-age enterprise—actually had its counterpart in the ancient city of Mari some 6,000 years ago.

If archeologists who plied their trade amid those ruins have read their cunieform tablets correctly, the administrative palace of the Kingdom of Mari boasted both a foreign office and a board of trade, and from all accounts, business was really booming. In his book, "The Bible as History," Warner Keller tells us, "More than 100 officials were involved in dealing with the incoming and outgoing messages, which amounted to thousands of tablets."

Babylon had its chambers of commerce, too, apparently within the shadow of the Tower of Babel and the fabulous Hanging Gardens. During the Middle Ages, fairs and merchant guilds were the predominent businessmen's organizations. The predecessor of the modern chamber of commerce was started during the reign of the French King, Henry, with the establishment of the Superior Chambers of Commerce of France. About that time, too, the merchants of Marseilles formed an independent voluntary group to represent the commercial interests of their port. This early local was closely akin to that country's present day chambers of commerce, voluntary organizations having quasi-public functions. Today these groups have charge of stock and produce exchanges, issue export certificates, and even help manage the port cities. They also differ from their American counterparts in that their membership is smaller, ranging from 9 to 21.

Switzerland has two distinct types—those that follow the French concept and function under state auspices, and independent groups similar to our own. The German chambers, like those in France, are pretty much official institutions. On the other hand, in Britain they are, like our own, entirely voluntary organizations.

And speaking of differences, our own chambers of commerce really evolved from three somewhat different types of business groups, each fulfilling a particular need created by a particular time and place. There were the trading organizations, whose members met for the sole purpose of trading with one another. These were sometimes known as boards of trade, a name that still survives in some areas, particularly small towns. Then there were the protective organizations—businessmen who banded together against high taxes and discriminatory regulations. And finally, in the newer sections of the country, town boosters organized to seek new industries and good roads that would draw tourist travel and help the community grow.

Regardless of these differences, the common goal of all three types of business groups was progress. But in a country marked by rapid growth and change as ours has been, what today may pass as progress can become, almost overnight, somewhat of a mixed blessing. For example, as the horse-and-buggy days slipped further into history, the big move to the new population centers brought new problems. But the oldtimers saw no personal profit from becoming bigger cities, and they often voted down needed public improvement programs. Nevertheless the growth of America's cities was as inevitable as the industrial revolution, and so chambers of commerce became the vehicles by which civic-minded people could be mobilized "to build bigger communities by making them better."

The stock market crash brought a somewhat different problem, though. As land values went down, so did the municipality's ability to service their overextended bond capacity. Faced with high municipal taxes, the businessmen took a new look at their organization, and belatedly they became tax conscious. Today the role of guardian of the taxpayer's pocketbook is an established function of the chamber of commerce.

Until 1912, the chamber of commerce movement had little or no cohesiveness. Then President Taft urged a group of businessmen to form what later became the Chamber of Commerce of the United States. Now there are 32 State and regional chambers, but the backbone of the movement still remains the local unit. And these days its business is not all business, either. The local chamber of commerce provides the leadership for all kinds of community activities—a project for the handicapped, the building of a playground, a fund drive to send city kids to camp.

As a matter of fact, projects aimed at helping youngsters rate high among chamber of commerce-sponsored activities. But then this preoccupation with the problems of America's children is nothing new in chamber of commerce history. The records show that the Ohio Chamber of Commerce—the oldest in the country—was responsible for the enactment of the first child labor law in the Nation.

## Three Hundred and Fiftieth Anniversary of Dutch Landing

EXTENSION OF REMARKS
OF
### HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, April 14, 1959*

Mr. ROOSEVELT. Mr. Speaker, on March 14, 1959, the second annual banquet of the Holland Society of New York, Potomac branch, was held at the Mayflower Hotel in Washington, D.C. This banquet marked the opening of the festivities commemorating the 350th anniversary of the landing of the Dutch at New Amsterdam.

I am particularly pleased to bring this significant occasion to the attention of my colleagues, as I am a life-long member of the Holland Society as was my father before me.

Messages were received at the banquet by numerous prominent persons, including His Excellency J. H. van Roijen, Netherlands Ambassador to the United States, whose greeting read as follows:

> Congratulations to the Potomac Branch of the Holland Society on initiating the 350th anniversary of the landing of our people on your shores and the commemoration of this year of history.

President Eisenhower wired greetings, as follows:

> It is a pleasure to send greetings to the members and guests of the Potomac Branch of the Holland Society of New York gathered on the occasion of the 350th anniversary of the Dutch explorations by Henry Hudson. From the earliest days, the growth and spirit of our country have been strengthened by citizens of Dutch descent. The Holland Society helps to preserve an important quality of American culture. I am delighted to add my best wishes for a fine evening.
>
> DWIGHT D. EISENHOWER.

I should like to touch briefly on some of the historical highlights in connection with the settling of the Dutch on what is now known as Manhattan. For instance, Netherlands' Prince Bernhard said, on May 19, 1958:

> The Netherlands and the United States can pride themselves on very old cultural relations. In 1638 Holland provided your country with its first schoolmaster, Adam Roelants. An early President of the United States, John Quincy Adams, opened a long line of American students seeking knowledge at Dutch universities, when at the age of 13 he registered as a student at the University of Leyden.
>
> You who are friends of my country and whose ancestors in many cases came from there, have set yourselves the task of advancing the friendship and cultural relations between our two countries.

There was a tablet in the court of the recently demolished Produce Exchange near the Customs House in downtown New York that marked the location of the first school in New Amsterdam, taught by Adam Roelandsen. It was also the first school of which there is any record in America.

Another first: In 1648, when the northernmost limits of the town extended no further than Wall Street, Gov. Pieter Stuyvesant laid the basic foundations of New York's and the Nation's volunteer fire-fighting system when he appointed four fire wardens.

A medical first in America: When the 17th century began, doctors cured much more by personality than by their remedies and practices. As a consequence, this era witnessed the discoveries of Antony van Leeuwenhoek, who built the microscope and was the first to describe the corpuscular formation of the blood, and those arising from Christian Huyghens' epochal studies in the field of optics. Dutch colonial America was the scene of several probable "firsts," notably the first coroner's inquest—1658—and establishment of the first hospital—1659.

The three Presidents: Three Presidents of the United States have been of direct descent in the male line from settlers of New Netherland well in advance of 1675. At least as many more occupants of the White House have been in part of such ancient stock through marriage. These three Presidents were also Governors of the State of New York. The first of the trio was Martin Van Buren, the second was Theodore Roosevelt—a very active member of the Holland Society—and the third was Franklin Delano Roosevelt, my father.

Our flag: The *Andria Doria*, bearing a copy of the Declaration of Independence of July 4, 1776, and her commission from the Continental Congress, signed by John Hancock, with copies in blank, signed by the same, for the equipment of privateers, and with a 13-striped flag flying at her masthead, sailed into the roadstead of St. Eustatius on the 16th of November 1776. She dropped anchor before Orangetown and in front of Fort Orange. The commander of the fort, Abraham Ravenle, on seeing the character of the vessel, and recognizing the flag of the American Congress, was in a quandary.

What should he do? Should he salute it with the full number of "honor shots" which were usually accorded to men-of-war of a recognized nation and thus officially recognize sovereignty of the United States of America? He was ordered by Governor De Graeff to return the salute with two guns less, as if the *Andria Doria* were a merchantman. Upon the commander's return to the fort, the Dutch garrison belched forth a salute of 11 guns. Following this event were serious repercussions. Governor De Graeff was subsequently recalled to Holland. The English protested in no uncertain terms to the Netherlands Government and accused it of violating its neutrality in recognizing an enemy.

EVACUATION DAY, NOVEMBER 25, 1783

Their discovery is a feat even more difficult than that performed by Symon's great-great-grandson, Sgt. John van Arsdale, who, after fighting against the British in the War of the American Revolution and being captured, imprisoned, and nearly starved to death by them, on evacuation day at New York, November 25, 1783, climbed the tall greased flagpole at the battery, tore down the British flag, and fastened the American flag there. The British had evacuated the city at noon, leaving their flag flying, after secretly greasing the pole. American military orders for the day were that the American flag should be raised upon the pole when General Washington appeared at the battery. At the vital moment the order could not be executed; the humiliation was intense; no one was able to climb the pole—until a young man in the crowd of spectators volunteered. He was John van Arsdale, who, having been a sailor in his father's ship, climbed the pole, tore down the flag, and substituted Old Glory. Upon descending, he received an ovation and a gift of money, to which General Washington contributed. (Hoppin, "The Washington Ancestry," vol. III, p. 164.)

Many fortunes have been made in New York City real estate since the Indians traded Manhattan to Peter Minuit for trinkets worth $24.

Today's value of all land and buildings, less tax-exempt holdings, on Manhattan Island is far in excess of $10 billion. The Dutch certainly got a bargain for their beads.

## National Allergy Month

EXTENSION OF REMARKS
OF
### HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, April 14, 1959*

Mr. FOGARTY. Mr. Speaker, I have today introduced a joint resolution authorizing the President to issue a proclamation designating the month beginning August 15 and ending September 15 as National Allergy Month. Its purpose is to urge the people of this Nation to cooperate in the fight for the prevention, treatment, and cure of allergic illness and to invite the communities of the United States to mobilize and extend their health resources to more adequately take care of the growing number of our citizens afflicted with these diseases.

The allergic diseases include both common and rare conditions. Some are so serious as to threaten life, others are

no more than annoyances. But, all impair health, happiness, and productivity and many decrease longevity. While most of us are familiar, at least by the name, with bronchial asthma, hay fever, allergic eczema, allergic headaches, abnormal reactions to drugs, and the contact skin eruptions so common in industry, we are less familiar with the diseases of an allergic nature which affect the heart and circulatory system, the blood cells, the gastrointestinal tract, the kidneys, and nervous system. Among the important systemic diseases suspected of having an allergic basis are rheumatic fever, ulcerative colitis, certain types of nephritis, and that group of conditions which are known collectively as the collagen diseases.

The allergic diseases are a leading cause of acute disease and chronic disability among individuals in every decade of life, but especially among children since the initial symptoms of allergy appear more often in the first two decades of life than at any other time. Allergic diseases are also among the leading causes of death among children.

Long neglected because they do not have the reputation of being killers, the allergic diseases are now recognized as major causes of disability, invalidism, and absenteeism from school, business, and industry. It is conservatively estimated that a minimum of 17 million Americans suffer during their lives from an allergic disease, ranging from annoying hay fever to severe, crippling and often incapacitating asthma. Minor allergic episodes, such as isolated attacks of poison ivy dermatitis, affect more than half our total population at one time or another.

The two most common distinct allergic diseases are asthma and hay fever. So far as our civilian population is concerned, the U.S. Public Health Service ranks hay fever and asthma third in prevalence among the chronic diseases—following diseases of the heart and circulation and arthritis and rheumatism. Together, asthma and hay fever account for more than 25 million work-days lost each year.

ALLERGY IN CHILDREN

The overall incidence of allergies in children is about 14 percent. In a study of 1,225 children, aged 1 to 14 years, chosen at random from a general population, no fewer than 175 children were diagnosed as definitely allergic and 220 as probably allergic. Multiple allergies were found to occur in slightly more than 3 out of 4 allergic children. Three-quarters of the patients with eczema had respiratory allergies and/or asthma.

Food allergy, especially that to cow's milk, causing gastrointestinal symptoms and infantile eczema is the most common type of allergy in early infancy. In children, respiratory allergies are the most troublesome disorders. In this group, food allergy is somewhat replaced by sensitivity to pollens, animal danders and hair, and bacterial infection. Studies show that more than 50 percent of children with eczema develop asthma. More than 40 percent with respiratory allergies eventually develop bronchial asthma.

Prophylaxis and treatment of major allergies in early childhood may not only prevent asthma and hay fever but also reduce the frequency of recurring upper respiratory infections.

Patients under 20 have a much better prospect of obtaining marked relief from most types of allergy than do older people. Early diagnosis and competent allergic, medical, dermatologic, and sometimes psychiatric management can prevent both the troublesome complications that arise from long-standing allergy and some of the secondary changes that produce recurring disability.

ASTHMA

While asthma may begin at any age, the majority of cases begin in childhood. If neglected, the disease tends to recur and become chronic so that it may lead to serious, disabling pulmonary disease in adult life. Infants with eczema and children with hay fever are apt to develop asthma. The popular belief that the asthmatic child will outgrow his condition is a dangerous one. If the asthma is neglected, it tends to persist. Even if it does subside spontaneously, it may leave its victim handicapped physically and psychologically.

Asthma is one of the more frequent causes of referral to pediatric outpatient clinics and children's hospital wards each year. It has been stated that the odds are 8 or 9 to 1 that a child with asthma will grow out of it. Unhappily, without the assistance of early preventive measures, many asthmatic children develop severe complications difficult to treat.

Perhaps the most common complication of asthma is emphysema, or overdistention of the lungs. The lungs become voluminous; they have very little mobility. Oxygenation of the blood is impaired. The patient becomes short of breath on even light exertion and sometimes even at rest.

There is extra risk for asthmatics from surgical procedures. Medico-actuarial studies consistently show that a great part of the excess mortality among asthmatic persons is due to high death rates from respiratory complications of the disease itself and from pneumonia, heart disease, and tuberculosis. Insurance experiences would indicate that asthmatic victims are relatively less resistent to diseases involving the respiratory system than are nonasthmatics. Insurance studies indicate that the mortality rate for patients with asthma, taken as a group, is appreciably greater than for nonasthmatics and consequently their average length of life is somewhat less. The presence of asthma in an individual is not compatible with a high level of general health and efficiency.

ALLERGY IN INDUSTRY: OCCUPATIONAL ALLERGIES

In our system of free enterprise, the unimpaired health of the worker is essential to the continued growth and expansion of the national productive effort and so, to the Nation's welfare. Our national productive capacity is reduced, not only by the great killing diseases of man, but also by conditions which sap our national vitality through insidious inroads on the health of the worker, be he an executive, a craftsman, or a laborer. The allergic diseases are among the chronic conditions which lead to substandard work performance, excessive absenteeism, and a continuous demand for medical attention.

The allergic diseases reduce longevity. They kill many individuals prematurely and contribute to other deaths by predisposing to heart and lung disease. But their importance lies in the toll they exact from our working population, day by day and year after year. Where allergic conditions arise from occupational exposures, an increasingly frequent situation in this age of chemicals and synthetic products, compensation awards add to the financial losses.

The incidence of allergy among the general population exceeds 10 percent. It is double this in many industries where workers are exposed to allergens by contact or inhalation. At least 20 percent of occupational conditions are allergic, and these are largely conditions which recur again and again.

Industrial progress has intensified the problem of allergy. There is widespread evidence of sensitization to industrial chemical agents, including the constantly increasing number of new compounds used in our modern technology.

Allergic contact skin disease is one of the most common diseases in industry today. It is frequently seen, for example, among workers who handle dyes and dye intermediates, photographic developers, rubber accelerators and antioxidants, soaps, mercury solutions, plants and plant derivatives, insecticides, plastics, and antibiotics.

DRUG SENSITIVITY

Allergic reactions are provoked in sensitive individuals by many of the drugs commonly used in medical treatment, including such well-known drugs as aspirin, quinine, arsenic, the barbiturates, the bromides and iodides, and sulfa drugs. Biological products such as insulin, liver extract, other hormones, and serums, also may produce allergic reactions. The numbers of persons affected year by year is in the thousands. While many such reactions are mild and are terminated by the withdrawal of the drug, others are extremely serious and even fatal.

The problem of drug sensitivity has become increasingly important during recent years since the multiplication of new compounds used in medical treatment has led to a proportionate increase in the number of drug reactions. Among the most common offenders today are the antibiotics.

Allergic reactions to the antibiotics have increased in proportion to the extended use of these agents. Penicillin is particularly apt to produce allergic reactions and, because penicillin is the most commonly used antibiotic, reactions to it have been reported in great numbers. A survey made in 1956 revealed the thousands of reactions to penicillin annually, with deaths numbering in the hundreds.

While the antibiotics have saved thousands of lives and reduced the

length and severity of infections in millions of people, allergic reactions are sufficiently frequent and serious as to pose an important medical problem.

THE ALLERGY PROBLEM TODAY

At present, large sums are being expended for research in infantile paralysis, tuberculosis, rheumatism and heart disease, cancer, multiple sclerosis, prematurity and so forth. Allergy affects as many children as do any one of these, yet there is practically no money being expended on its study. The reason for this is that death seldom results from an allergy despite its incapacitating and chronic character.

Despite the amount of disability they cause, the allergic diseases have received relatively little attention in the development of specialized facilities for treatments, in research and in medical education. Even in cities with the best of general hospitals, it is often difficult or impossible for the asthmatic patient of modest means to obtain adequate care. Severe asthma requires the most intensive medical and nursing service, yet may persist far longer than the acute stage of most other diseases. As a result, hospitals treating acute diseases are often reluctant to admit such patients and institutions offering chronic care are poorly equipped to handle them.

The number of allergy patients seen in outpatient clinics of hospitals and in the offices of physicians is sufficiently striking, but even more so is the number of patient visits. Statistics provided by the United Hospital Fund of New York City reveal that allergy sufferers require on an average three times as many clinic or office visits per year than do those suffering from all other types of illness.

What is being done to help the millions of Americans suffering from allergic diseases? The Allergy Foundation of America, a voluntary health agency established under the sponsorship of the two national professional societies, the American Academy of Allergy and the American College of Allergists, has developed a broad program of public information and education intended to guide the allergic individual in obtaining the best possible medical care. This agency attempts to bring to the public reliable information on the latest scientific knowledge about allergy, and the management and treatment of the allergic diseases.

In order to accelerate efforts in the field of allergy, the foundation complements the expanded program of research and training of the National Institute of Allergy and Infectious Diseases by offering opportunities for specialized training for medical students, graduate physicians and research scientists in the form of scholarships, fellowships, and grants.

The Allergy Foundation of America initiated National Allergy Month 2 years ago with the purpose of disseminating as widely as possible information concerning allergy as a growing health problem. For each of the past 2 years the educational campaign conducted during this month has been highly successful and several hundred thousands of informational pamphlets have been distributed to the public in an effort to inform and educate our citizens. The Allergy Foundation of America plans to sponsor a National Allergy Month again this year, August 15–September 15. To this end, the joint resolution which I have today introduced in conjunction with Senator LISTER HILL, will seek to obtain Presidential proclamation urging Americans to support this program through voluntary gifts and services in their communities.

## A Good Neighbor: Senator Humphrey on Latin America

EXTENSION OF REMARKS
OF
### HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 14, 1959*

Mr. PORTER. Mr. Speaker, at the University of Florida on April 3 of this year the distinguished Senator from Minnesota, the Honorable HUBERT H. HUMPHREY, delivered a speech on Latin America.

It is exceptional. It is a brilliant résumé of the existing problems between the governments of Latin America and the Government of the United States.

The Senator has come to grips with the central issues involved without the cliches and generalities so prevalent in discussions of Latin America.

Under a previous consent, I am including the text of Senator HUMPHREY'S statement in the RECORD.

A NEW ERA FOR LATIN AMERICA

(Address prepared for delivery by Senator HUBERT H. HUMPHREY, of Minnesota, University of Florida, Gainesville, Fla., Friday night, April 3, 1959)

Tonight I might have selected as my topic the Berlin crisis, the troubled Middle East or the vexing problem of attempting to control the nuclear arms race. But I have chosen instead to talk about Latin America and U.S. policy toward her Latin American neighbors. Since the end of World War II we have been preoccupied with a series of crises on the periphery of the Communist empire—Greece, Berlin, Korea, Indochina, Suez, Quemoy, Lebanon, and again Berlin. In the meantime, the seemingly less precarious situation in Latin America went almost unnoticed.

It took the demonstrations against Vice President NIXON last spring to explode any remaining illusions about the state of our Latin American relations. The plain truth is that today inter-American relations are in a more critical stage than they have been at any time in the past three decades.

At this point, I would like to pause to pay tribute to the University of Florida, one of the few U.S. universities which has a well-rounded Latin American studies program. Recently, the Hispanic Foundation of the Library of Congress surveyed universities across the country to find out which ones offered Latin American studies. I am told that only eight universities fall into category I, that is, ones which offer a well-staffed, well-rounded course of study about Latin America. The University of Florida is one of these eight. Florida's awareness of the importance of inter-American understanding also has been reflected in the thoughtful and persistent efforts of Senator SMATHERS to bring attention to the realities of our foreign policy in Latin America.

We are now on the threshold of the 69th anniversary of the Organization of American States. It has long been customary at this time of the year to extol pan-American peace, solidarity, and cooperation. Such oratory now would be a gratuitous gesture. It is dangerous to perpetuate comfortable fictions about a bond that has been broken. The first prerequisite of a responsible and effective policy toward Latin America is a willingness to face the facts, however unpleasant they may be.

OUR STAKE IN LATIN AMERICA

There is no disagreement on the importance of cordial, cooperative relations with our 20 sister Republics. Everyone agrees that strategically, ICBM's notwithstanding, Latin America remains one of the key foundations of our defense shield. Politically, close and harmonious relations with the Latin American people, who now number over 180 million, add to the free world's strength in the larger issues of the cold war.

Economically, the American Republics constitute a vital ingredient in our own well-being. The area is second only to Europe as a purchaser of our exports. Twenty-five percent of all our exports go there. In 1957 this meant the sale of $560 million worth of automobiles and parts, of $445 million worth of chemicals, $135 million of medicines, $121 million of edible animal products, and so on across the board of U.S. products. Latin American purchases add up to a lot of jobs for a lot of people in the United States. At the same time, imports from south of the Rio Grande consist of many strategic minerals as well as materials essential to our peacetime industries. U.S. private investments in the area now total over $9 billion, more than in any other region of the world.

Why, then, have relations deteriorated?

CRISIS POLICY

Part of the responsibility lies in our preoccupation with Europe, the Middle East, and Asia. While attention to these vital areas is understandable, the resulting neglect of Latin America cannot be justified. The personal diplomacy of the administration has also tended in the same direction. With all decisionmaking power concentrated in Secretary Dulles, the less precarious situation in Latin America got shoved into the background until it too became a crisis. Up until the recent disturbances, I am told, Foreign Service officers working in Latin America were somehow considered to be occupying second-class positions.

TAKING LATIN AMERICA FOR GRANTED

The good-neighbor policy itself may be partly to blame for the assumption that nothing much could go wrong within our hemisphere. Latin American representatives tried to make their grievances heard through proper channels and at stated conferences. Often their warnings and protests were bitter. But the good-neighbor policy had been so successful in cementing United States-Latin American relations that long after its demise an aura of good will lingered on, hiding the grim realities underneath. The hangover from the good-neighbor policy seems to have created an impression in the United States that the Latin American republics were solidly with us, no matter what we did or did not do.

LATIN-AMERICAN REVOLUTIONS

The attitude of taking Latin America for granted is only part of the growing estrangement between the United States and Latin America. I think that our gravest error has been a misreading of the revolution gripping the region. Some people are prone to dis-

miss Latin American revolts as mere changes in the palace guard, while others see Communist influence in every upheaval. These stereotypes can be our undoing.

Today, the nations to the south are in the midst of an epic social revolution. We and the Communists have vied with each other in telling people the world over that they no longer have to live out their lives in hopeless misery. The peoples of Latin America took us at our word.

They want an end to semifeudal conditions in which 5 percent of the population owns 80 to 90 percent of the land; in which a handful of nationals and foreigners live in luxury while the majority live in squalor; in which disease strikes down their children, and hunger and ignorance perpetuate their slavery; in which the wealthy minority joins with the army to keep things just as they are.

Many thousands of Latin Americans have risked exile, imprisonment, torture, and death to achieve responsible governments, responsive to the needs of their people. These courageous people usually come from the classes that produce political leadership—students, union leaders, professional and business men. The rash of revolutions that toppled tyrannies in Argentina, Colombia, Venezuela, and Cuba attests to their determination to achieve freedom and bread.

THE LATIN AMERICAN IMAGE OF THE UNITED STATES

In the midst of that upheaval, which we above all other peoples should be able to understand and to sympathize with, the United States has somehow managed to appear callous and indifferent. While we have eagerly sought Latin American support to stop the spread of Communist tyranny, we have demonstrated a peculiar nonchalance toward despotisms of the home-grown variety.

In 1954 Secretary Dulles took time to fly to the ninth Inter-American Conference in Caracas to press for an inter-American declaration against Communist intervention in the Western Hemisphere. That very same year we bestowed the Legion of Merit on Pérez Jiménez then the hated dictator of Venezuela. The incredible citation reads in part:

"To H. E. Marcos Pérez Jiménez, President of the Republic of Venezuela for the exceptional nature of his outstanding accomplishments. His Excellency, as President of the Republic of Venezuela and previously, has demonstrated a spirit of friendship and cooperation with the United States. The sound economic, financial, and foreign investment policies advocated and pursued by his administration have contributed greatly to the economic well-being of his country, and to the rapid development of its tremendous resources. These policies, judiciously combined with a far reaching public works program, have remarkably improved its education, sanitation, transportation, housing, and other important basic facilities."

Shortly after our tribute to Pérez Jiménez, the Archbishop of Caracas dared to denounce the tyrant in a pastoral letter, and thousands of anguished Venezuelans hazarded their lives to get rid of the bloody oppressor upon whom we had lavished praise.

On January 10, 1958—just 13 days before unarmed men, women, and children rose heroically against the brutal Venezuelan dictatorship—the man who had been our Ambassador to Venezuela from 1951 to 1956 wrote from his new post in Turkey to the dictator's savage secret-police chief congratulating him for putting down the first abortive revolt. The letter, on Foreign Service stationery, came to light after the democratic revolution.

These incidents are, unfortunately, not isolated. Our Defense Department, in the middle of the Cuban revolt, decorated the officer who had commanded air raids against the Cuban people. We kept up a stream of armaments to Batista long after it had become apparent that he was using them against his own people, contrary to the terms of our defense agreement.

The Communists, of course, are getting a lot of mileage out of such errors. But we must face up to the fact that our own actions, not Communist propaganda, have created throughout Latin America an image of the United States as a nation selfishly engrossed in defending its own freedoms but heedless of the aspirations of others.

THE ECONOMIC SITUATION IS SERIOUS

U.S. official attitudes with regard to Latin America's economic problems have deepened the estrangement between us.

Our economic attitudes toward Latin America have created the image of the United States are arrogant, paternal, interested primarily in promoting the interests of U.S. investors, and unconcerned for the well-being of ordinary human beings. It is painful to think that the generous impulse of the United States, which first created the idea of technical assistance in Latin America in 1942, now seems so perverted.

As you know, all the American Republics, to a greater or less degree, fall into the category of underdeveloped countries. All are dependent on the export of one, or at best a few, commodities to earn the foreign exchange to buy vital necessities and to finance economic development.

Any downswing in the world price or demand for their few exports plays havoc with their income. This uncertainty makes development planning exceedingly difficult.

With an average annual per capita income of less than $300, some areas in Latin America are hard pressed to maintain even this low living standard in the face of a rapidly growing population.

Our neighbors have not been sitting on their hands waiting for assistance. Ninety percent of the capital invested in the area is Latin America's own. The reserves accumulated from the sale of raw materials during World War II, made possible a spurt of development in the region. From 1945 to 1953 the average per capita income rose at the rate of 3.3 percent a year, and Mexico, for example, achieved a rate twice as great. After 1952, with reserves depleted and the price and demand for Latin America's principal products on the decline, the accelerated rate of development ground to a halt.

Responsible leaders in Latin America are worried. On the one hand they have populations awakened from centuries of apathy who are demanding a better deal in life. On the other hand, the ubiquitous Communists are there, dangling tempting promises before the eyes of the underprivileged. Democratic leaders in Latin America know that they must produce some tangible results, that they must provide some hope for a better future, if democratic government is to endure.

THE U.S. RESPONSE HAS BEEN AMBIGUOUS

On the question of Latin America's economic development the United States has presented an ambiguous picture. Latin Americans understood and welcomed Secretary Marshall's stirring declaration at Harvard University 12 years ago: "Our policy is directed not against any country or doctrine, but against hunger, poverty, desperation, and chaos." Hunger, poverty, desperation and chaos well described Latin American conditions. And, we encouraged the Latin Americans to look almost exclusively to us for assistance.

We then proceeded to provide billions in aid to Europe and Asia. To Latin American pleas for assistance, we replied with advice that they should look to private investments and private enterprise as the principal channel for their funds. In 1956 Senator SMATHERS proposed an amendment to the Mutual Security Act to provide a special fund for loans for Latin America for health, education and sanitation projects. This proposal met with resistance from the State Department on the grounds that private capital was doing a good enough job. I am happy to say that Congress passed the amendment in spite of State Department resistance.

The frequent reiteration that private capital would meet Latin American requirements insulted and irritated our neighbors. We Americans like our system of free enterprise. It has worked for us, although not in the simon-pure form that some people like to pretend. Latin Americans, on the other hand, have some sour memories of the robber-baron type investments, both domestic and foreign, which we ourselves have long since ceased to tolerate.

In addition to historical differences, the advice ignored the plain fact that private enterprise goes in to make a profit, and will hardly be attracted when the basic sinews of a national economy—such as roads, power and sanitation facilities—are lacking.

Moreover, overdependence on private investment results in a piecemeal approach to economic development as private funds haphazardly move into a mine here and a factory there. Latin Americans point out that in their urgent circumstances they cannot wait for the trickle-down theory to maybe work.

THE U.S. CHANGE OF HEART

It took the violent outbursts against Vice President NIXON to make us conscious of the gravity of the Latin American situation. On March 10 last the Department of State announced a change of heart, as follows:

"Not only must account be taken of the private capital and technical know-how required to create employment for those who today are underemployed or unemployed, but also of the need to create new jobs for an even larger number of workers. In addition to the expansion of industry and agriculture which this implies, very large additional amounts of public funds will be required for facilities which only governments can provide; for example, highways, sanitation facilities, hospitals, and schools."

The recognition that Latin American growing pains differ from ours and our consequent abandonment of inflexible doctrinaire principles should open the way for better inter-American understanding.

Along the new guidelines positive steps are in progress. The administration has finally announced that it will support an Inter-American Development Bank, something the Latin Americans have been urging for years and we have been resisting for years. We have agreed to consult with the Republics before making decisions which could affect their principal exports. We have indicated a willingness to take a fresh look at efforts to deal with instability and fluctuation in the commodity market. We have lent our support to the idea of regional markets within Latin America.

In short, we have recognized the magnitude of Latin America's problem and have agreed to cooperate with our neighbors in finding solutions.

A NINE-POINT PROGRAM FOR IMPROVING LATIN AMERICAN RELATIONS

Latin America, as population zooms, as industrial development spreads, and hope and impatience mingle, is going to be a cauldron of competing political ideologies. We should welcome this development, not fear it.

In no region of the world have we deeper historical traditions to build upon. It was with the Latin American Republics that we first developed the idea of regional cooperation. The bold idea of mutual cooperation to attack disease, illiteracy, and poverty was born within the inter-American family.

These are the people who wept unashamedly when Franklin Delano Roosevelt died.

Today in Latin America there are many leaders who understand and admire our democratic system and want to develop something comparable in their own countries. I know of an American who, while attending the inauguration last month of the democratically elected President of Venezuela, was asked on three separate occasions by newly elected Venezuelan congressmen how they could get hold of a copy of the "Jefferson Manual of Rules for the House of Representatives."

Our traditions of individual freedom and concern for ordinary human beings were once the cornerstone of our successful Latin American policy. Now, to Latin Americans, these much admired beliefs seem to stop at the border. While we caution our neighbors about Communist activities and Communist infiltration, we appear peculiarly cold toward the Latin American yearning to achieve genuine civil liberties.

The recent steps taken by the administration to repair our tottering Latin American policy should be applauded. They are steps in the right direction, but they will not be enough if the escalator of history is going faster in the opposite direction. We must replace our massive indifference to Latin American aspirations with massive cooperation.

The Latin American situation cries out for imaginative, long-range planning, rather than the hurried, patch-up measures after an explosion has occurred.

A coordinated program on the order of the Marshall plan would give the Latin Americans new hope of attaining bread and freedom. The possibilities of such an effort should be explored carefully, not primarily as an anti-Communist stratagem, but because it is good for Latin America and for the United States. We should not be ashamed of our humanitarian tradition. Nor should we be embarrassed if humanitarian and security objectives sometimes coincide in our national policy.

In conclusion, I should like to propose a nine-point program for improving United States-Latin American relations. I believe this program is realistic and workable and in harmony with the best interests of our country and of our 20 sister Republics.

First. The United States should increase the volume of its economic aid in support of Latin American efforts to develop diversified and viable economics so they will not be dependent, as they now are, on a few commodities. Requests for loans from the Development Loan Fund and the Export-Import Bank should be dealt with expeditiously and sympathetically. We should cooperate fully with the new Inter-American Development Institution. The proposed corps of technical experts within the institute could help the smaller, inexperienced countries draw up coordinated development plans.

Second. The United States should accelerate and strengthen its program of technical assistance in agriculture, health, education, vocational training, and public administration. The time has come to recapture the original fervor of President Truman's bold new program which was widely hailed in Latin America when it was first announced a decade ago.

Third. The United States should support vigorously the current moves within Latin America to establish regional markets. The elimination of inter-American trade barriers would broaden markets for Latin American products and make low-cost manufacturing feasible, both indispensable prerequisites to diversification and economic growth.

Fourth. The United States should review its trade and tariff policies as they affect imports from Latin America. It is self-defeating for us to provide economic assistance with one hand and take it away with the other by shortsighted trade restrictions. If policies designed to strengthen our trade with Latin America cause hardship to any domestic industry, the Government has a responsibility to aid those so affected. (I recently cosponsored an amendment in the Senate to the Area Redevelopment Act (S. 722) to make such aid possible, but unfortunately it did not pass the committee stage.)

Fifth. The United States should give wholehearted support to the health programs under the direction of the Pan American Sanitary Organization. Widespread disease which stalks Latin America is a tremendous economic drain as well as a human tragedy. Investment in health is perhaps the cheapest, most effective investment we can make in the future of the Western Hemisphere.

Sixth. The United States should develop a bold and imaginative program of student and cultural exchange.

We need to reexamine our methods of screening Latin American scholarship recipients. Too frequently the test has been the friendliness of the recipient toward the United States. Young Latin Americans of so-called leftist tendencies have been excluded, when they are often the very ones who would benefit most from the program.

Seventh. The U.S. press, radio, and TV, networks should give wider and better balanced news coverage of Latin American affairs. This, of course, is something our Government can do little about. But it is essential that the American people have a continuous report and interpretation of Latin American developments if they are to understand the magnitude of the problems in that region and what we are asked to support. When news of revolutions and executions dominate our newspapers, it is hard for the American taxpayer to form an understanding of the underlying realities in the 20 American Republics, and of our interest in them.

Eighth. The United States should thoroughly reappraise its military assistance program in Latin America. What we have given one nation for hemispheric defense has often provoked demands by another for an equal amount of aid. Great care should be taken not to encourage this type of arms race, which Latin American governments can ill-afford. We should give greater attention to the coordination of military policy and strategy in the hemisphere. This might well result in a decrease in the requirements of national military establishments.

Further, our military assistance to certain dictatorial governments has raised the question of whose freedom those governments are defending. The use by Batista of U.S. supplied armaments against his own people, contrary to stipulations of our defense treaty, has greatly damaged U.S. prestige throughout Latin America. It makes little sense to speak of hemisphere defense while arming a tyrant who uses weapons to intimidate his own people.

Ninth. The United States should lend its support to the idea of regional arms control. Last year Costa Rica submitted such a plan to the Organization of American States and received nominal support from the U.S. delegation. Our Government should now press for the consideration of the Costa Rican plan or some similar project, at the eleventh inter-American Conference to be held at Quito next year.

The quality of our overall policy toward Latin America will be determined not only by what we do, but by how we do it.

Unless we pursue our policies with a genuine interest in the welfare of our fellow human beings, they will do little to heal our wounded inter-American relations. The steps already taken by the Department of State, many of them complete reversals of former policy, will avail us little if they are done reluctantly and only under Latin American pressure.

We must, if we are to recapture the warm bonds of friendship which characterized the best days of the good-neighbor policy, breathe into inter-American cooperation that intangible spirit which then characterized our relations—a deep-rooted conviction that the Western Hemisphere can, indeed it must, be a New World where freedom and opportunity flourish.

## Statement Upon Introduction of Legislation Proposing Constitutional Amendment To Assure the States Exclusive Control Over the Public Schools

EXTENSION OF REMARKS
OF
### HON. KENNETH A. ROBERTS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, April 14, 1959*

Mr. ROBERTS. Mr. Speaker, in a bill which I am introducing today, I am proposing an amendment to the Constitution which shall be valid upon ratification by the legislatures of three-fourths of the States. This amendment reads:

> Administrative control of any public school, public educational institution, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in this Constitution shall be construed to deny to the residents thereof the right to determine for themselves the manner in which any such school, institution, or system is administered by such State and subdivision.

The distinguished Senator from Georgia [Mr. TALMADGE] previously has introduced similar legislation.

Mr. Speaker, when the Supreme Court in its 1954 desegregation decision decreed that the separate but equal principle in providing public education was unconstitutional, there was set in motion pressure which has caused turmoil in the South and in other sections of this country.

Since this unprecedented decision was handed down, we have seen radical elements flourish, schools destroyed by explosives, Federal troops with bayonets invading a campus, and public school buildings shut down. Today, nearly 5 years later, the issue is more irreconcilable than ever. The problem remains, and it is time a solution is found.

In my estimation, the solution can be approached only when a sound constitutional foundation is laid. This is what the amendment which I propose seeks to provide.

For some time, I have insisted that education is and ought to be under exclusive control of State and local authorities. There should be no room under our Constitution for the Federal Government to usurp this authority, and that is what happened in the 1954 integration decree.

History warns us of the usurpation of powers by the judiciary. George Washington in his Farewell Address stated:

Let there be no change by usurpation; for though this, in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed.

In 1956, a special committee of outstanding jurists appointed by the Governor of Florida made a thorough study of public-school education in the light of the Supreme Court decisions. The committee pointed out that the assumption of power to change the meaning of the Constitution such as evidenced by the Supreme Court's integration decrees is an abuse of public trust and a tyrannical usurpation of power. The committee pointed out:

The Constitution of the United States may be amended only in the manner provided in that Constitution. In the course of history since the adoption of the Constitution the people have 21 times found it expedient to amend the Constitution, and when that unanimity of public opinion which justifies a change in the Constitution has developed among the people they have found no difficulty in effecting the changes they found desirable.

In my estimation, Mr. Speaker, the time has come and the people are ready for a constitutional amendment to assure each State the right to determine how it will conduct its public-school system.

David Lawrence, noted and respected syndicated columnist and publisher, recently in his column pointed to what seems to me to be the growing unworkability of integration in the schools. He indicates that the issue may reach the status of prohibition and its repeal, where the collateral effects of the controversy made it clear that each State should have the right to control its own liquor traffic. Mr. Lawrence concludes:

So with respect to school integration—as already revealed in the big cities of the North, including voteless Washington—the emergence of emotional issues having little to do with the merits of education or equality of status of individuals may finally decide the controversy in the next decade. It could bring a wave of feeling that local option—the right of each State to handle its own educational problems—is again the answer to a question of sociology as raised by the Supreme Court.

These emotional side-effects, which are already splitting this Nation, should not be allowed to grow. Let us take the problem out of the hands of a judicial oligarchy and place it back in the hands of the people concerned. The people can and will solve this problem to their own satisfaction if given the opportunity. An amendment to the Constitution, such as I propose, would, I sincerely believe, give them that opportunity.

# SENATE

## WEDNESDAY, APRIL 15, 1959

Rev. William C. Martin, bishop of the Dallas-Fort Worth area of the Methodist Church, offered the following prayer:

Almighty and Eternal God, our Heavenly Father, Thou who art the source of all truth and of all righteousness, we give Thee grateful thanks for the abundance of Thy mercies by which our Nation was brought to birth and by which it has been guided and guarded and sustained, even unto this day. Grant, we beseech Thee, to Thy servants, the President and the Members of the Senate, such a full measure of Thy wisdom that they may be able to interpret, wisely and faithfully, Thy will for the people whom they represent and for this Nation and the nations of the world. And may the decisions which they make this day and every day be so fully in accord with the principles of justice and freedom that the people will be guided aright and the peace and welfare of the world advanced, through Jesus Christ, our Lord. Amen.

### THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, April 13, 1959, was dispensed with.

### REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT—MINORITY, SUPPLEMENTAL, AND INDIVIDUAL VIEWS—(S. REPT. 187)

Under authority of the order of the Senate of April 13, 1959,

Mr. KENNEDY, from the Committee on Labor and Public Welfare, on April 14, 1959, reported favorably, with amendments, the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, together with minority, supplemental, and individual views, which was printed.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

### EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 20) extending greetings to the Honorable Harry S. Truman on the 75th anniversary of his birth, May 8, 1959.

The message also announced that the House had passed the bill (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 836. An act to amend the code of law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes;

H.R. 1844. An act to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended by the acts of July 2, 1940, and July 12, 1950;

H.R. 5534. An act to designate the bridge to be constructed over the Potomac River near 14th Street in the District of Columbia, under the act of July 16, 1946, as the George Mason Memorial Bridge, and for other purposes;

H.R. 4601. An act to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes; and

H.J. Res. 336. Joint resolution making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 2575. An act to authorize the appropriation of $500,000 to be spent for the purpose of the III pan-American games to be held in Chicago, Ill.; and

H.R. 3648. An act to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes.

### HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or placed on the calendar, as indicated:

H.R. 836. An act to amend the code of law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries,